



Human Organ Donation and Transplant and the Practice of Northern Nigerian Muslims

By

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Abstract

The increase in the number of end stage organ diseases in the world and of the ageing population have led to the search for treatments, one of which is organ transplant. The alarming rate in the rise of such diseases in Sub-Saharan Africa coupled with its poor health care system and general lack of awareness among its populace are issues of monumental concern. Nigeria being the most populous country in Sub-Saharan Africa, with an estimated population of over 242 million is a classical example of this lack of awareness especially in the Northern part of the country which has the highest percentage of Muslims. While data on vital organ diseases and on human organ donation and transplant in relation to resident Nigerian Muslims is not available, this is not an indication that Muslims do not suffer from these diseases and would not need organ transplant. However, insufficient awareness on the permissibility or otherwise of human organ donation and transplant among resident Northern Nigerian Muslims will negatively affect acceptance and participation in organ donation practices thereby increasing mortality and morbidity rates. Although Nigeria is a multi religious nation, Islam plays a significant role in the lives of Muslims hence the necessity of finding out the Islamic law perspective on human organ donation and transplantation. This paper adopted a combination of doctrinal and empirical methods with findings revealing that the majority of resident Nigerian Muslims are not only uninformed about organ donation and transplant but are doubtful of its permissibility, especially donation after death. Consequently, the paper recommended the need to enlighten Muslims on both living and deceased donations.

Keywords: Organ Donation-Organ Transplant-Islamic Law-Northern Nigerian Muslims

1.1 Introduction

Nigeria is the most populous country in Sub-Saharan Africa. Currently, the estimated population of the country is over 242 million, ranking 6th in the world,¹ with Northern Nigeria having the

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¹Worldometer, "Nigeria Population 2026", <<https://www.worldometers.info/world-population/nigeria-population/>> accessed 31 May 2026.



highest percentage of Muslims.² While data on organ donation and transplantation on selected countries are available and accessible on the Global Observatory on Donation and Transplantation and the International Registry in Organ Donation and Transplantation, there is, however, no data on the two registries with regards to organ donation and transplantation in Nigeria even though Nigeria is facing a severe health crisis.

Based on a report by Nigeria HIV/AIDS Indicator and Impact Survey (NAIIS), Nigeria has a Hepatitis B prevalence of 8.1% and Hepatitis C at 1.1%; with an estimated number of about 19 million Nigerians living with Hepatitis B and or C.³ While over 36.8 million Nigerians are suffering from one form of kidney disease or the other, representing about 23 percent of the country's population, and would need three to five hour dialysis treatment; three times per week at the cost of forty thousand naira per session.⁴ Statistics further reveal that 150,000 Nigerians die annually as a result of heart-related diseases and the number is presumed to rise to 23 million by the year 2030 if sufficient measures are not taken.⁵ The above statistics indicate that vital organ failure contributes directly to morbidity/mortality rates and patients with end-stage organ diseases will need transplantation.

Data on the prevalence of vital organ diseases as well as organ donation and transplant in relation to resident Nigerian Muslims is not available, it however does not mean that Muslims do

²Z Pierri and A Barkindo, "Muslims in Northern Nigeria: Between Challenge and Opportunity" in R Mason (ed), *Muslim Minority-State Relations: The Modern Muslim World* (Palgrave Macmillan, New York 2016) <https://doi.org/10.1007/978-1-137-52605-2_6> accessed 7 March 2020.

³Hepatitis B Foundation, "The Journey to Hepatitis Elimination in Nigeria" <<https://www.hepb.org/blog/journey-hepatitis-elimination-nigeria/>> accessed 7 March 2020.

⁴Thisday, "Addressing High Rate of Kidney Disease" <<https://www.thisdaylive.com>> accessed 8 April 2020.

⁵K Tyessi, "Nigeria Records 150,000 Deaths Annually Due to Heart Diseases" Thisday <<http://www.thisdaylive.com>> accessed 15 April 2019.



not suffer from these diseases and would need organ transplantation for end-stage vital organ failure. Multiple surveys have indicated that religious values and beliefs have influenced the socio-cultural approach of Muslim communities to organ donation⁶ and has impeded the establishment of deceased-donor programmes in some countries.⁷ This is an indication of the significance of religion in the lives of Muslims.

In Nigeria, the majority of Northern Nigerian Muslims are not only uninformed about organ donation and transplant but are doubtful of its permissibility especially donation after death while a negligible percentage of Muslims that have basic knowledge on organ donation and transplantation are worried over the legal, medical, ethical and practical issues inherent in organ donation and transplant such as the definition of death, donation after circulatory/brain death, full disclosure, consent, sale of organs and autonomy. These issues are majorly because organ donation and transplant are a new innovation, which have no clear-cut rulings in the *Qur'an* and *Sunnah*. It is against this backdrop that this paper seeks to investigate levels of awareness and understanding on human organ donation and transplant among resident Northern Nigerian Muslims, and to test the hypothesis that even those who have a fair knowledge of the subject do not know whether it is permissible or not, especially the utilisation of organs after death.

⁶MY Rady and JL Verheijde, "Brain-Dead Patients are not Cadavers: The Need to Revise the Definition of Death in Muslim Communities" (2013) 25 HEC Forum 25-45 <<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3574564/>> accessed 14 October 2019.

⁷Y Shimazono, "The State of the International Organ Trade: A Provisional Picture Based on Integration of Available Information" World Health Organization Bulletin <<https://www.who.int/bulletin/volumes/85/12/06-039370/en/>> accessed 4 November 2019.



1.2 Methodology and Sample

Respondents are western-educated on the basis that they are the most likely to understand the concepts of human organ donation and transplant, being a specialised field of knowledge. Also, the selected respondents do not require translation of the survey instrument into languages other than English. 1200 questionnaires were distributed amongst university students, lawyers, bankers, business managers, Muslim scholars, doctors and teachers in all Northern states, using google forms while both hard copies and soft copies were distributed between March-November 2019. The survey was conducted from March to November 2019 and a total of 733 respondents completed the survey. Computer analysis software MERLIN and Microsoft Excel were used to analyse the data.

1.3 Limitations

It was practically impossible to travel all over Northern Nigeria to distribute questionnaires taking into cognisance the prevailing insecurity hence google forms were also utilised.

1.4 Data Presentation and Analysis

Out of 1200 questionnaires, 733 individuals responded.

1.4.1 Islamic Law Position on Organ Donation and Transplantation Among Resident Northern Nigerian Muslims

People in the survey sample (resident Northern Nigerian Muslims) are broadly unsure of the Islamic position on organ donation and transplant. Nearly half (44%) of respondents said that they did not know. Among those expressing an opinion either way, more were positive than were



negative: nearly a third (29%) overall thought that it is permissible, plus 6% believing that it is “Obligatory”, whilst 21% said “Prohibited” (9%) or “Detestable” (12%).

Islamic position on donation - it is:

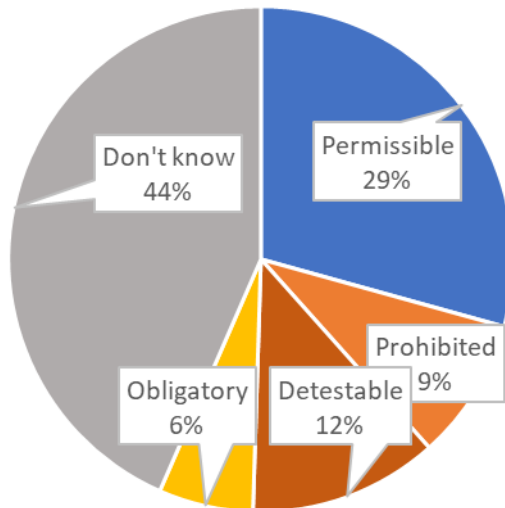


Figure I

1.4.2 Understanding Organ Donation

Nearly two in five understand organ donation to be consenting to the removal of organs to be transplanted in a person with end-stage diseases, and a third see it as the less specific purpose of being for the benefit of others. This does not vary significantly depending on respondents having a positive or negative view on the procedure being permissible under Islam. 10% overall say that it is a specialty for doctors.

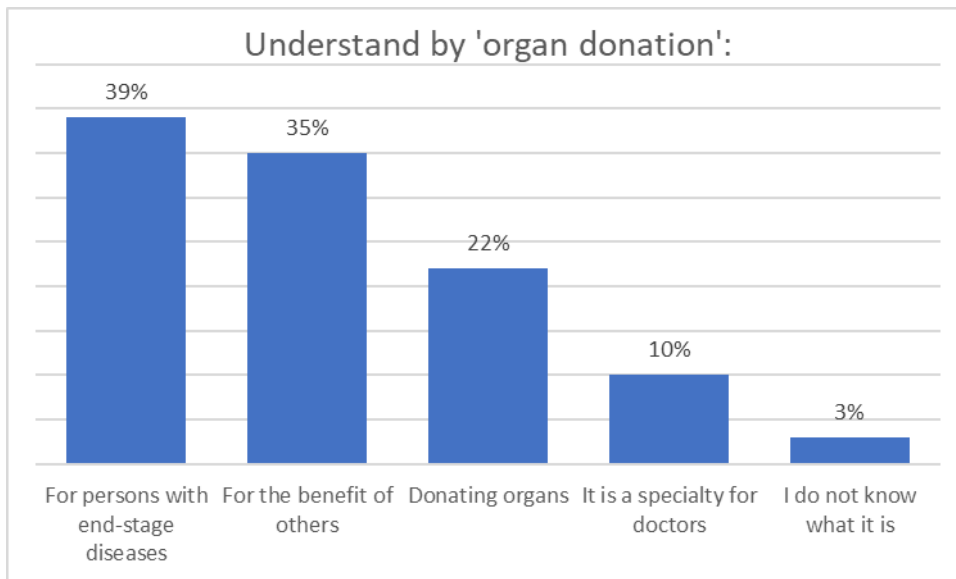


Figure II

1.4.3 Understanding Organ Transplant

More than half of respondents, 56%, have a full and clear understanding of organ transplant as the surgical transfer of a healthy organ to replace a diseased or damaged organ in another person. Most others have some or partial understanding; just 3% say they do not know. Understanding of the term is highest among those who believe it is permissible under Islam.

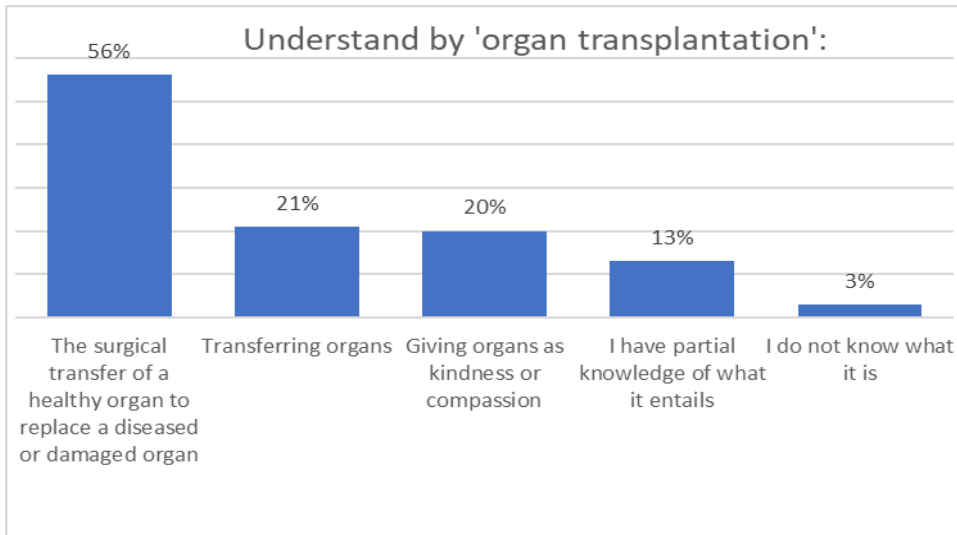


Figure III

1.4.4 Willingness to Donate Organ(s) – Whilst Alive

Nearly a third of respondents overall said that they would be willing to donate organs whilst still alive – and a further 41% said ‘maybe’. 28% said they would not be willing to donate. Among those who believe that the procedure is prohibited under Islam, 22% said they would or might donate.

Those who are willing to donate say that it is out of kindness, empathy, to help others, or to save lives. Many remark that it depends on the circumstances, the recipient, how serious it is. Those who are unwilling are concerned for their own health, some are scared by the thought, and others feel that it is not permitted under Islam.



Donate whilst alive?

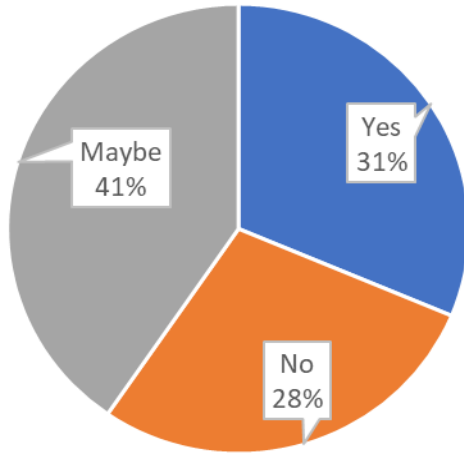


Figure IV

1.4.5 Willingness to Donate Organ(s) – To Whom

Among those who would be willing to donate, if they had a choice then it would mainly be to family members. More than half of respondents overall said they would prioritise their parents (Mother/Father/Parent), particularly their Mother, then immediate family.

Mother	42%
Father	34%
Parent(s)	8%
Children, son, daughter	24%
Sister	20%
Brother	14%
Sibling(s)	9%
Any family/relative, loved ones	21%
Wife	10%
Husband	9%
Friends	9%
Anyone, the ill or needy	9%
Muslims	5%
Other answers (e.g. neighbours, soldiers, colleagues, others)	4%



Figure V

1.4.6 Willingness to Donate Organ(s) - To Strangers

Half of the respondents overall said that they would not be prepared to donate organs to people they did not know. One in five said that they would donate to strangers, highest (30%) among those who believe that donations are permissible under Islamic Law.

Those who are willing to donate say that it is an act of selfless charity, to help others in need, to ease suffering and pain, or to save lives. Those who are unwilling are often concerned for their own health, some are scared by the thought, and others feel that it is not permitted under Islam, whilst many simply say that they are unsure or not obliged to do so.

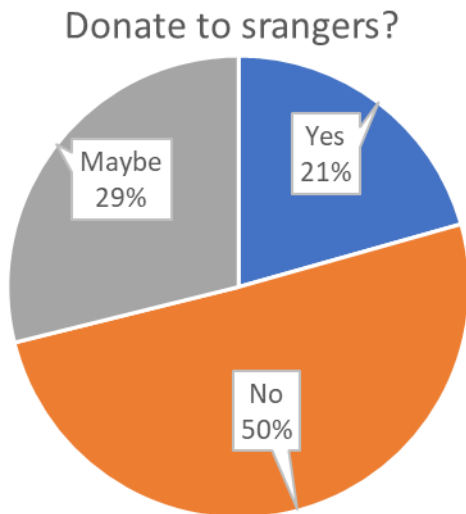


Figure VI



1.4.7 Willingness to Donate Organs - After Death

Half of all respondents overall said that they would NOT be willing to consent to the donation of their organs after their death – this is much higher than the 28% who are unwilling to donate when they are alive. People *willing* to donate after death are most likely to do so because of considerations of charity (26%) or empathy (17%), or comment that their organs are of no use to them after death (20%).

People *unwilling* to donate after death are likely to feel that it is a violation of the sanctity of the human body (43%), or they do not want to be buried incomplete (30%). 19% said they did not want to feel any pain when their body was cut, and 14% said they were uncertain about what the procedure entailed.

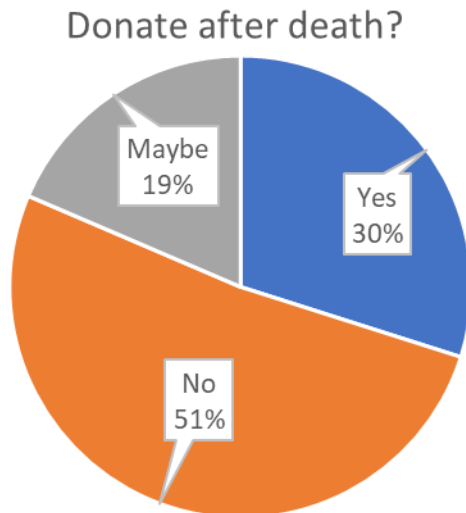


Figure VII



1.4.8 Opinion of Relatives Consenting to Organ Removal

Opinion is divided on the matter of relatives and heirs consenting to organ removal from their dead relatives, but more are negative than are positive: given a single choice, 28% said it should be criminalised and 19% said the idea is detestable. Just 18% thought it should be legalised, whilst 28% were indifferent. People who are willing to donate organs – whilst alive or dead, or to strangers – are the most likely group to say that it should be legalised. Opinions do not vary significantly by having a better understanding of the meaning and significance of the term ‘brain death’.

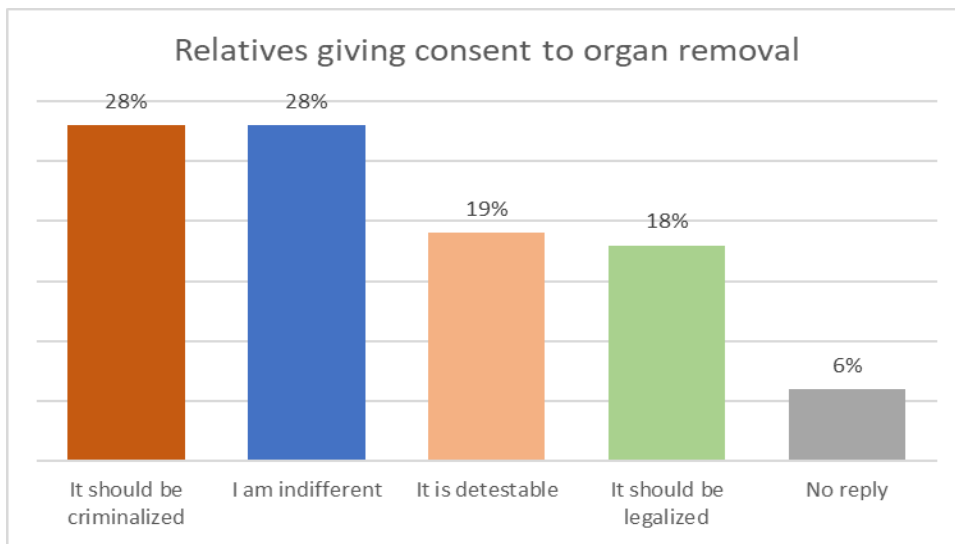


Figure VIII

1.4.9 Understanding of ‘Death’

More than a third (37%) of respondents overall defined death spiritually, as being the separation of the body and the soul. Many more think of death as being when the heart stops rather than



brain death, although nearly a quarter define death as being both the heart stopping and brain death.

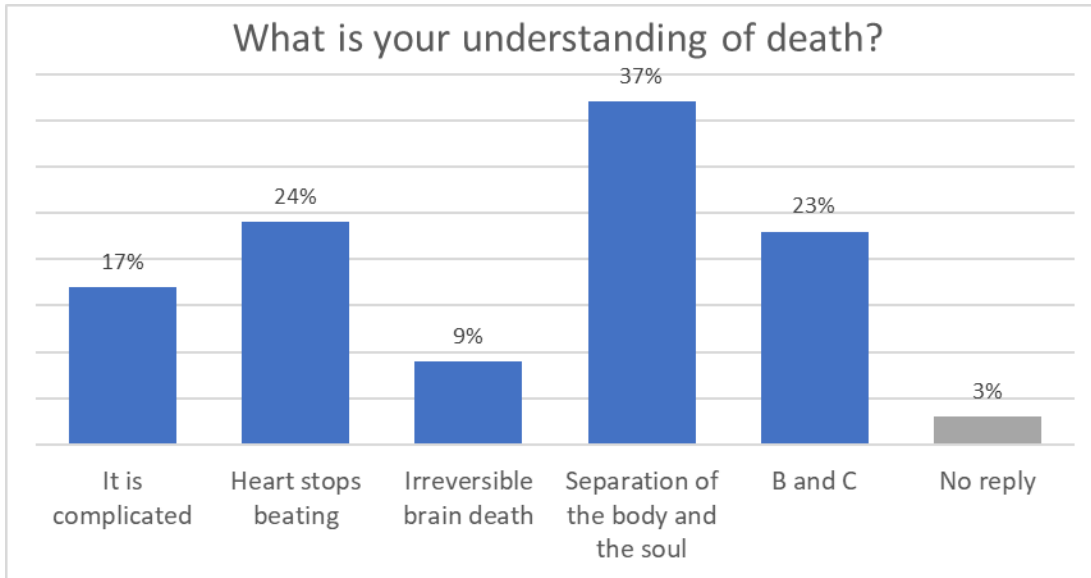


Figure IX

1.4.10 The Meaning and Significance of ‘Brain Death’

Fewer than one in five respondents overall say they feel that they understand the meaning of brain death and its significance to deceased donation. Half say they do not know the meaning and a further 30% say ‘not exactly’. Levels of understanding do not vary significantly by how likely the respondent is to consider organ donations themselves.



Understand meaning of brain death?

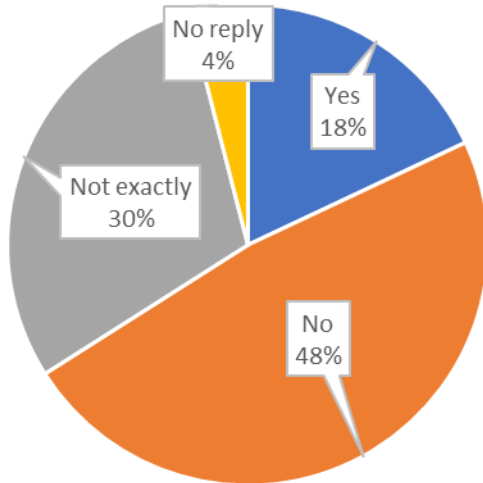


Figure X

1.4.11 Who Should Determine ‘Death’?

The strong majority feel that death should be determined by medical practitioners, although a quarter say it should be determined by religious scholars. Very few feel that legislators or lawyers should make the decision. Nearly all of those who answered ‘Others’ said that death should be determined by Allah or God.

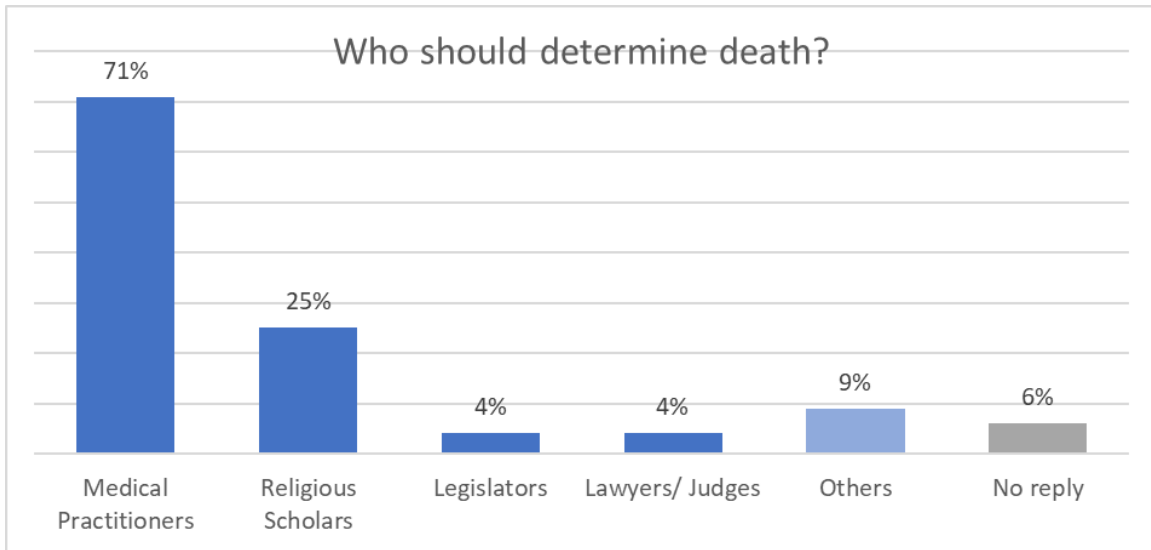


Figure XI

1.5 Summary and Conclusions

- a. The findings support the hypothesis that even the resident Northern Nigerian Muslims who have a fair knowledge on human organ donation and transplant do not know whether it is permissible or not, especially the utilisation of organs after death.
- b. There is a great deal of uncertainty concerning the issues surrounding organ donation and transplant.
- c. Those who are willing to consider organ donation do so mainly out of a sense of charity or goodwill to their fellow human beings.
- d. Those who are unwilling to consider organ donation are often unsure about the effect on their own health or deterred by being scared by the idea, or believe that it is against Islamic thinking.



- e. Most respondents do not know the meaning of brain death and its relevance to deceased donation.
- f. Islam plays a significant role in the lives of the respondents as most are concerned with the Islamic law ruling on organ donation and transplant.
- g. Although the discourse on human organ donation and transplant under the *Shari'ah* is indispensable to Muslims due to its relationship to the preservation of life as well as human dignity, findings indicate a lack of knowledge and clarity – hence Muslims need direction on whether these practices are allowed and under what circumstances.