

Barriers to organ donation in the Jewish community

It has long been recognized that members of the Jewish community generally do not sign organ donor cards or consent to the donation of the organs of their family members. In order to address this issue, the position of Jewish law on organ donation was examined and a sample of the Jewish population of Toronto was surveyed in an attempt to better understand the reasons for the observed reluctance to donate within this community. The results confirmed that the rate of signing organ donor cards was much lower in the Jewish community than in the general population, and although other reasons do exist, the major barrier to donation was a perception that Jewish law prohibits such action. The study of Jewish law revealed that organ donation is permitted and, in fact, encouraged by all branches of modern Judaism. Finally, in response to these results, a guide titled "Organ Donation: A Jewish Perspective" was compiled to help explain both the religious and medical aspects of organ donation for Jewish people and transplant personnel. (*Journal of Transplant Coordination*. 1998;8:19-24)

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Although great technological strides have been made in the field of organ donation and transplantation, the practice is still greatly limited by a gross undersupply of organs. Two of the greatest barriers to increased organ procurement rates are a shortage of willing donors and a failure of medical professionals to inquire actively about the possibility of organ donation from the families of potential donors.¹

Many reasons are cited by those who have not signed organ donor cards. Although superstitious beliefs and fear of inadequate medical care were the most common reasons found in surveys of the general public,² other objections come to the fore when specific groups are examined. Organ procurement agencies have long noted that members of certain ethnic and religious groups are often reluctant to donate because of religious objections. This perception also discourages medical personnel from approaching potential donors for fear of insulting their beliefs.

Although this trend toward reluctance to donate is common among a number of groups, the Jewish community has stood out among those groups.² This observed trend is reinforced by the fact that Israel, a predominantly Jewish nation, has a donor rate of just 9 per million population, one of the lowest rates worldwide.³ Although it has traditionally been

assumed that Jewish people do not donate because of religious reasons, the matter has not been studied extensively. The purpose of this study was to determine the major objections to organ donation held in the Jewish community and subsequently to develop methods to overcome some of those barriers.

Methods

The first part of the project involved an examination of Jewish law, or halakah, to establish the precise religious position on organ donation and transplantation. This was accomplished by means of a comprehensive literature search of both medical and religious sources compiled from the MEDLINE database as well as from the collections of four synagogues and one Jewish library in Toronto. In addition, six rabbis were interviewed. These interviews were well balanced between the Orthodox, Conservative, and Reform movements, the three main branches of modern Judaism.

After the religious issues were studied, the attitudes of the Jewish community were examined. The instrument used to accomplish this task was an original survey that was distributed through four synagogues and one religious high school. The questionnaire was designed with input from rabbis and from the research design personnel at the Multiple

Organ Retrieval and Exchange (MORE) Program of Ontario. The survey also was compared with similar research tools used by the MORE Program in earlier studies on organ procurement.

Synagogues of all three major branches of Judaism were selected in an attempt to accurately reflect the diversity within the Toronto Jewish community. Two of the synagogues involved were Conservative because this is the largest movement in Canada. In addition, one Reform and one Orthodox synagogue were included. In order to gauge the sentiments of the Jewish youth in the community, the Community Hebrew Academy of Toronto (CHAT) was also selected. Although CHAT students represent only a select portion of Jewish youth, distribution of the survey in nondenominational schools would have posed obvious ethical problems. CHAT is not associated with any particular branch of Judaism. In all cases, rabbis circulated the surveys through their respective congregations at lecture series on Jewish biomedical ethics or other educational topics. The CHAT students were twelfth-grade students studying Jewish biomedical ethics.

The survey was written in English and consisted of 13 questions addressing demographic data and attitudes toward organ donation. The respondents were divided into categories by age (15-25 years, 16-50 years, and >50 years), sex, Jewish affiliation (Orthodox, Conservative, Reform, other), and level of Jewish education (none, supplementary school, or day school).

Respondents were then asked if they had signed an organ donor card and whether they would donate organs to family members, to any person in need, or for medical research. The next question required people to select one or more choices from a list of hypothetical reasons for not signing organ donor cards. This list was compiled from similar research tools and MORE personnel. An option to select reasons not listed was also available.

The next questions dealt with beliefs about the position of Jewish law on organ donation. Respondents were asked the following: (1) if they believed that Jewish law prohibits organ donation and if they had ever been taught that this was true, (2) if they would be willing to agree to donation of a family member's organs if asked to do so by a physician, (3) if they would consult a rabbi before signing an organ donor card, and (4) if they would receive a donor organ if there was a need.

After the surveys were completed, the results were examined. The statistical analysis of the results was done by using the chi-squared test and the test for comparison of proportions from two samples.^{4,5} The data were then compared with results from similar studies of other populations to determine whether unique approaches would be required to increase organ donation in the Jewish community.

Survey Results

Because two of the synagogues surveyed were Conservative, a disproportionate number of respondents were Conservative. In addition, the majority (72%) of the high-school students (n=60) were Conservative. Of 232 respondents, 36 were Orthodox, 155 were Conservative, 19 were Reform, and 12 classified themselves as "other." More of the respondents were female (58%), and the majority (80%) had received some type of formal Jewish education (see Table).

Survey results	n (%)
n=232	
Respondents (N=232)	
Male	97 (42)
Female	135 (58)
Religious affiliation	
Orthodox	36 (16)
Conservative	155 (67)
Reform	29 (12)
Other	12 (5)
Age (years)	
<25	72 (31)
26-50	76 (33)
>50	84 (36)
Level of Jewish education	
None	46 (20)
Supplementary school	104 (45)
Day school	82 (35)
Signed organ donor card	39 (17)
Willing to donate to	
A family member	218 (94)
Anyone in need	144 (62)
Medical research	39 (17)
Reasons for not signing (n=194)	
Religious prohibition	79 (41)
Ethical concerns	41 (21)
Fear of inadequate care	31 (16)
"Bad luck"	10 (5)
Other	33 (17)
Believe that organ donation is prohibited by Jewish law	114 (49)
Taught that organ donation is prohibited by Jewish law	132 (57)
Would seek rabbi's advice before signing organ donor card	114 (49)
Willing to consent to donation of family member's organs	79 (34)
Willing to receive organ donation	213 (92)

Seventeen percent of those surveyed had signed organ donor cards. This percentage was in stark contrast to the 94% who indicated that they would donate to a family member and the 62% who would donate to any person in need. Only 17% were willing to donate organs for medical research.

The reasons cited for not signing an organ donor card were varied. Many respondents chose more than one selection, and some did not list any reason. Religious prohibition was the most common response, accounting for 41% ($P < .01$) of the reasons given. The next most common responses were ethical reasons (21%) and fear of inadequate medical care (16%). Superstitious fears represented 5% of reasons, and 17% of the responses indicated another reason. Some of the other reasons stated were "I want to be buried whole" and "I never thought about it."

Forty-nine percent of respondents indicated that they believed organ donation to be prohibited by Jewish law, and 57% stated that they had been taught that this was true. Just less than half of those surveyed (49%) stated that they would seek a rabbi's advice before signing an organ donor card, whereas only 34% indicated a willingness to consent to donation of a family member's organs if requested to do so by a physician. Finally, 92% of respondents stated that they would be willing to receive a donated organ if in need.

Subgroup analysis revealed associations between members of the same branch of Judaism, and showed some differences between age cohorts and subgroups with different levels of Jewish education.

Strong associations were noted between groups of the same branch of Judaism. A similar proportion of each group indicated that they had signed an organ donor card. Although a similar percentage of Reform and Conservative respondents stated that they would be willing to donate organs, Orthodox Jews had a markedly reduced response in this category ($P < .05$). All three groups cited religious reasons most often for not signing donor cards. Reform respondents were less inclined to state they believed that organ donation is prohibited by Jewish law than were their Conservative and Orthodox counterparts ($P < .01$). This is in contrast to the fact that the majority of Reform Jews (74%) had been taught that Jewish law prohibits donation. Orthodox respondents were much more likely to seek a rabbi's advice before signing a donor card ($P < .05$).

Among the three age categories, some other differences emerged. Respondents aged 15 to 25 years were significantly less likely than respondents aged 25 years or older ($P < .01$) to have signed a donor card. Although all three groups cited religious reasons as their main objection to donation, some differences in their other responses were apparent. Many respondents (34%) in the younger cohort noted ethical con-

cerns as a barrier, whereas the older two groups of respondents were much more likely to cite a fear of inadequate medical care as a serious concern ($P < .05$).

When the level of Jewish education was considered, some interesting differences became apparent. Day-school students were much less likely to have signed a donor card ($P < .01$) than were respondents with a supplementary school education or no formal Jewish education at all. Day-school students were also less willing to donate for all purposes. All three groups thought that religious reasons were the greatest barrier to donation. Respondents with no Jewish education were less likely to believe that Jewish law prohibits donation ($P < .05$), to have been taught that this was true ($P < .05$), or to consult a rabbi before signing a donor card ($P < .05$).

Religious Issues

Ever since organ donation and transplantation became a reality in the early part of this century, many issues have come to the fore in the field of biomedical ethics. The Jewish community has been no exception to this pattern. Numerous commentaries and responsa have been written by rabbinical authorities on the subject of organ donation. The general consensus has been that organ donation is acceptable and is, in fact, encouraged by Jewish law⁶⁻¹²; however, this is not a universal sentiment.

Although a detailed examination of the religious issues is beyond the scope of this article, the basic arguments will be explained. Four main considerations arise when one examines the position of Jewish law on cadaveric organ donation. The first three relate to the treatment of the body after death, and the final issue concerns the acceptance of brain death by Jewish law.

According to Jewish law, it is forbidden to mutilate or desecrate a lifeless body, derive use or benefit from a cadaver, or delay burial of the deceased.⁶ Like most moral codes, Jewish law consists of mitzvot or commandments that are used to guide people's actions. Many instances arise in which conflicting commandments pertain directly to the same situation and adherence to one directly contravenes another. In response to these situations, a hierarchy has been developed over the centuries by rabbinical scholars. An example of this is the delaying of the burial of the dead until after the Sabbath has ended, because observance of the Sabbath is one of the greatest mitzvot.^{9,12} Likewise, organ donation can present a similar conflicting situation.

One of the most important commandments is that of saving another person's life. In fact, this mitzvah is of such importance that it may be disregarded only if the act will violate the commandments forbidding murder, adultery, or idolatry, three of the greatest sins

in Judaism.^{9,12} Because organ donation does not violate any of these prohibitions, some rabbis argue that Jews may actually be obligated to donate their organs if it could result in the saving of life, but almost all agree that donation is permissible. Corneal and skin transplants were justified on similar grounds by Chief Rabbi of Israel Untenman. He argued that people who are blind or severely injured requiring a skin transplant (eg, burn victims) are more likely to die sooner, and therefore the commandment of prolonging another person's life still applies.¹⁰ This interpretation of the law is now almost universally accepted, and thus this objection to organ donation on religious grounds is essentially no longer valid. However, donation for research is generally not permitted except in certain unique situations.⁷

The issue that still remains controversial in some circles is that of brain death. All would agree that death must have ensued before organ donation can be considered; however, the precise defining terms for the establishment of death are more contentious. Jewish law makes no specific reference to brain death and as a result, its endorsement by rabbinical authority relies on extrapolation.

Maimonides, a 12th century rabbi and physician, put forth the proposition that decapitation constitutes death. He argued that although a body may continue to move, it is clear that the organism is already dead because it has lost its "central control" (ie, the brain).^{8,13} Rabbi Veith, an orthodox rabbi, was first to sanction brain death by declaring it physiological decapitation.^{11,13} He explained that because the brain is no longer perfused after brain death, it is as if it has been physically separated from the body. Although the person may continue to move by means of artificial life support, the person is no longer alive. Therefore, organ donation can then be considered as in the case of any other cadaver. This interpretation has gained wide acceptance in all major branches of Judaism.

Organ donation from live donors raises other questions for Jewish law. Although it is forbidden to intentionally harm oneself, this commandment is again overridden by the mitzvah (commandment) of prolonging life.¹⁰ However, in order to justify harming oneself, there must be a reasonable guarantee that the organ donation will, in fact, result in the prolongation of another's life. As a result, the various organs that can be donated from live donors have been evaluated individually. In general, the philosophy has been that if the chance for survival of the recipient is greater than the risk of death to the donor, then it is an acceptable donation. On this basis, kidney donations have been endorsed but liver-lobe and lung-lobe donations are still being evaluated.¹⁰ Individual assessment and consultation with a rabbi are advised for all live donations.

Discussion

Despite the fact that most rabbis and other Jewish scholars support the practice of organ donation, the results of this study suggest that the majority of the Jewish community is reluctant to sign organ donor cards, largely for religious reasons. It is clear that the Jewish community has a lack of awareness about the teachings of Jewish law on the subject of organ donation and transplantation.

These results must be considered in light of the fact that the process used to collect data may have resulted in a degree of sample bias. The respondents received the surveys in a synagogue or at a Jewish high school. The high-school students were in the midst of studying Jewish biomedical ethics, and most of the members of the adult cohort were attending similar seminars when they completed the questionnaires. Persons attending such lectures would most likely be more interested in the subject of organ donation and may well be more knowledgeable about the pertinent Jewish law than other persons would be. In addition, the surveys were distributed only in locations with clear religious affiliations, and therefore, the results may not be directly generalizable to the Jewish community at large. However, again, this segment of the Jewish population is likely to be more aware and knowledgeable about the Jewish position on organ donation than is the rest of the Jewish community. Consequently, the results may actually overestimate the awareness of organ donation in the Jewish community.

The fact that just 17% of respondents indicated that they had signed a donor card is discouraging. In 1991, MORE conducted a survey of the Ontario public and found that 38% of Ontario residents had signed a donor card (Figure 1).¹⁴ This figure is most likely even higher today as the rates of signing organ donor cards have been increasing steadily over time.²

When the reasons for the lower proportion of the Jewish community having signed donor cards are examined, the conclusions are clear. In all subgroups, the most commonly cited reason for not signing a donor card was a belief that Judaism forbids such an act. In addition, half of the respondents indicated explicitly that they believed organ donation to be prohibited by Jewish law. Although other issues no doubt exist, it appears that religious beliefs are presently the largest barrier to signing organ donor cards within the Jewish community (Figure 2).

It is of concern that 60% of those surveyed indicated that they had been taught that Jewish law prohibits organ donation. This strongly suggests that the Jewish educational system is not advocating organ donation. Although subgroup analysis may not be accurate, it appears that the teaching that organ donation is prohibited by Jewish law is more common in

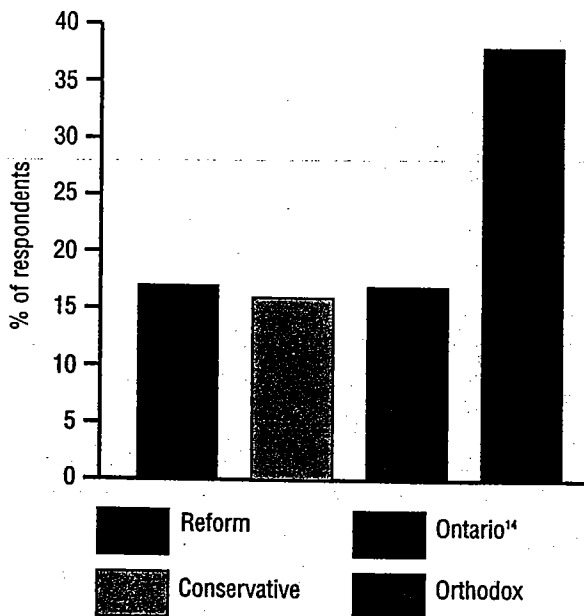


Figure 1 Signed organ donor cards

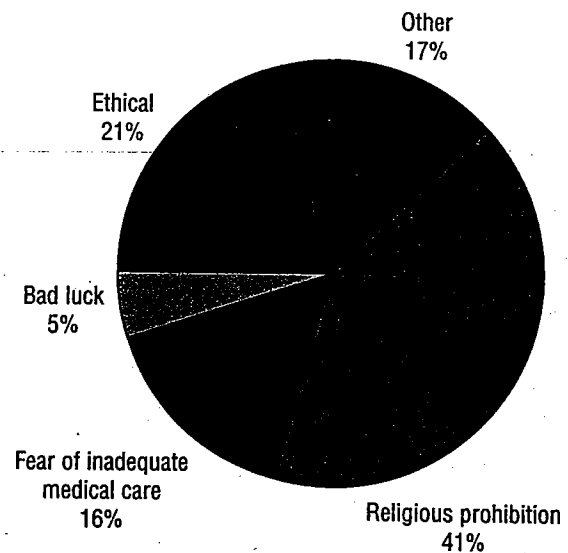


Figure 2 Reasons for not signing organ donor cards

Jewish day schools than in supplementary schools. Respondents with a day-school education were least likely to have signed donor cards and most likely to believe that Jewish law prohibits organ donation. Because the vast majority of the day-school students came from CHAT, an individual Jewish day school, these conclusions may not be generalizable, but may simply refer to the teaching in this specific institution.

Respondents younger than 25 years were less likely to have signed donor cards than were respondents older than 25 years. This is in contrast to the trend in the general population, which shows markedly higher signing rates in younger populations.¹⁵ Although this may be partially explained by the fact that some of the students may not yet have had driver's licenses, it should be noted that if persons in this age group were encouraged to sign organ donor cards at the time they received their licenses, they might be more inclined to sign the organ donor portion.

Although religious issues clearly surfaced as the greatest barrier to donation, it is important to recognize that other barriers exist as well. Concerns about the quality of medical care for potential donors as well as ethical and superstitious beliefs stood out as other serious issues. This suggests that in order to fully address the subject of organ donation in the Jewish community, a discussion of nonreligious issues is essential.

Although the great disparity between the number of persons willing to accept a donor organ and the number of persons willing to donate organs for transplantation is not unique to the Jewish community, it is

still of concern.^{9,11} Although it is difficult to account for such an overwhelming difference, part of the explanation likely lies in the simple fact that the acceptance of donor organs has never been questioned on religious grounds whereas organ donation has always been a somewhat contentious issue. This has become a particularly relevant problem in Israel. Many European nations have developed agreements to share donor organs as appropriate; however, because of very low donor rates in Israel, a degree of resentment has developed in some of the other countries. This has resulted in threats to refuse to share donor organs with Israel in the future.³ If this trend continues, it could be devastating for the Israeli population.

Although most rabbinical authorities now sanction organ donation for transplantation, some concerns remain. Some rabbis expressed a fear that the donor's body would not be treated with dignity (eg, personal contact). It is permissible to take organs for donation if it will result in the saving of human life; however, it is paramount that tissues and fluids not used in the transplant receive a proper Jewish burial with the rest of the donor's body. In order to alleviate this problem, it may be possible to have a rabbi oversee the removal of organs from Jewish donors.

The results of this investigation clearly demonstrate that large barriers to organ donation, both religious and nonreligious, exist in the Jewish community. In response to this observation, a guide for transplant patients and synagogue congregants titled "Organ Donation: A Jewish Perspective" was compiled. Although it is not exhaustive, the guide

gives a fairly comprehensive explanation of both the medical and Jewish issues that relate to organ donation and the transplantation process. This guide may also be useful for rabbis and transplant physicians to read to help familiarize themselves with specific concerns that they may have to address. Ideally, the guide could be distributed through synagogues, Jewish social groups, and religious schools and by transplant coordinators. The effectiveness could be increased by distributing the guides at synagogue services, particularly if accompanied by a sermon on organ donation.

Although no one intervention is likely to overcome all the barriers to organ donation in the Jewish community, great strides can be made if Jewish institutions use their resources and make a concerted effort to increase awareness of the issues. The guide "Organ Donation: A Jewish Perspective" can serve as a valuable tool in this effort.

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