

## Central Lancashire Online Knowledge (CLoK)

Title	Losing Faith in the Dead Donor Rule
Type	Article
URL	<a href="https://clock.uclan.ac.uk/11255/">https://clock.uclan.ac.uk/11255/</a>
DOI	<a href="https://doi.org/10.7590/221354014X14042206275951">https://doi.org/10.7590/221354014X14042206275951</a>
Date	2014
Citation	Choong, Kartina Aisha (2014) Losing Faith in the Dead Donor Rule. <i>Journal of Medical Law and Ethics</i> , 2 (2). pp. 23-35.
Creators	Choong, Kartina Aisha

It is advisable to refer to the publisher's version if you intend to cite from the work.  
<https://doi.org/10.7590/221354014X14042206275951>

For information about Research at UCLan please go to <http://www.uclan.ac.uk/research/>

All outputs in CLoK are protected by Intellectual Property Rights law, including Copyright law. Copyright, IPR and Moral Rights for the works on this site are retained by the individual authors and/or other copyright owners. Terms and conditions for use of this material are defined in the <http://clock.uclan.ac.uk/policies/>

# LOSING FAITH IN THE DEAD DONOR RULE



**Dr Kartina Aisha Choong**

**The David Price Memorial Seminar Series  
De Montfort University, 16 December 2013**

**INNOVATIVE THINKING  
FOR THE REAL WORLD**

  
**uclan**  
University of Central Lancashire

# Outline

- **Organ Donation: A Religious Perspective**
- **Dead Donor Rule & Faith Communities**
- **Recommendations**

# ORGAN DONATION



## A RELIGIOUS PERSPECTIVE

# Christianity

“Greater love has no man than this, that a man lay down his life for his friends”

The New Testament (John 15:13)

# Islam

“Whosoever saves a life, it shall be as if he has given life to all mankind”

The Quran (Surah Al-Mai'dah, verse 32)

# Judaism

“to sustain a single human soul is  
equivalent to sustaining an entire world”

The Mishnah (Sanhedrin 4:5)

# THE DEAD DONOR RULE & FAITH COMMUNITIES

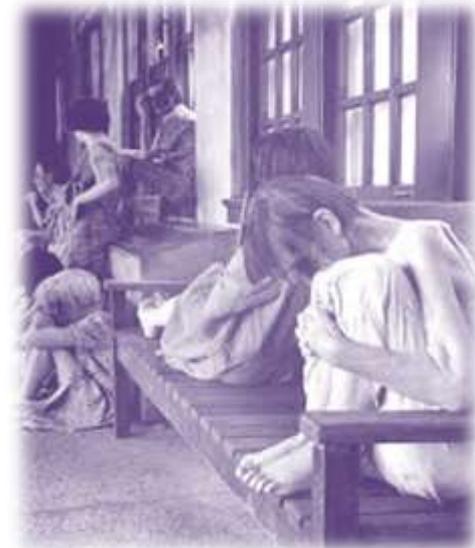


# The Dead Donor Rule (DDR)

- Organ retrieval must not kill the donor
- Donor must be declared dead first

# Rationale

## 1) To protect vulnerable groups





**INNOVATIVE THINKING  
FOR THE REAL WORLD**

## 2) To prevent premature declaration of death



### 3) Doctors are healers, not killers



## 4) To maintain public confidence

“the ethical linchpin of a voluntary system of organ donation”

- John Robertson

# Dr Juro Wada

(1922 - 2011)

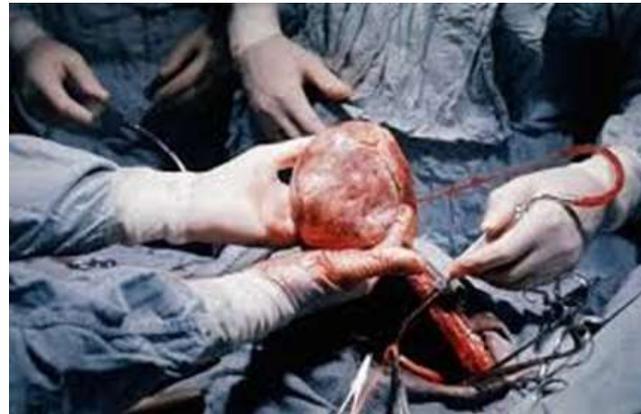


# Current Definition of Death

## Brain stem death



# Dead person, living body



# Soulless death

# Death in Abrahamic Faith Traditions

- When the soul is separated from the body



- When breathing and heartbeat have stopped

# Living person(!), living body

# The DDR Revisited

- But organ retrieval must not kill the donor
- Donor must be declared dead first

“dead enough”

Jay Baruch (2003)

“being dead for the purposes of”

John Tuohey (2009)

“Heartbeat and blood pressure rise as the surgeon cuts into the supposedly dead organ donor, a similar reaction to a healthy person being attacked with a knife”

Dr David Wainwright Evans (Cardiologist, Queens College Cambridge)

“Postmortem examinations are carried out on dead bodies; **organs are harvested from living ones.** [The latter are] responsive to pain, requiring paralysing drugs, blood transfusion and anaesthetics for surgery”

Dr David J Hill (Consultant Anaesthetist, Huntingdon)

“No respectable, learned, and accepted Catholic moral theologian has said that the words of Jesus regarding the laying down of one’s life for one’s friend (John 15:13) is a command or even a license for suicidal consent for the benefit of another’s continuation of earthly life.”



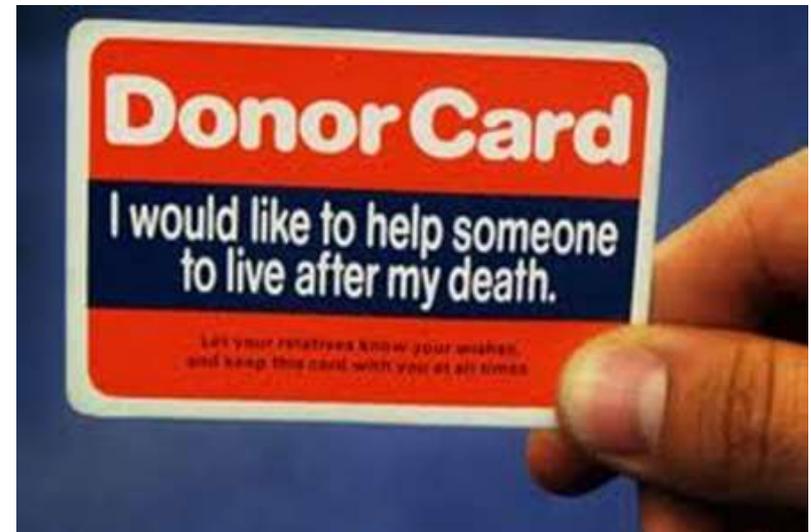
Bishop Fabian Bruskewitz

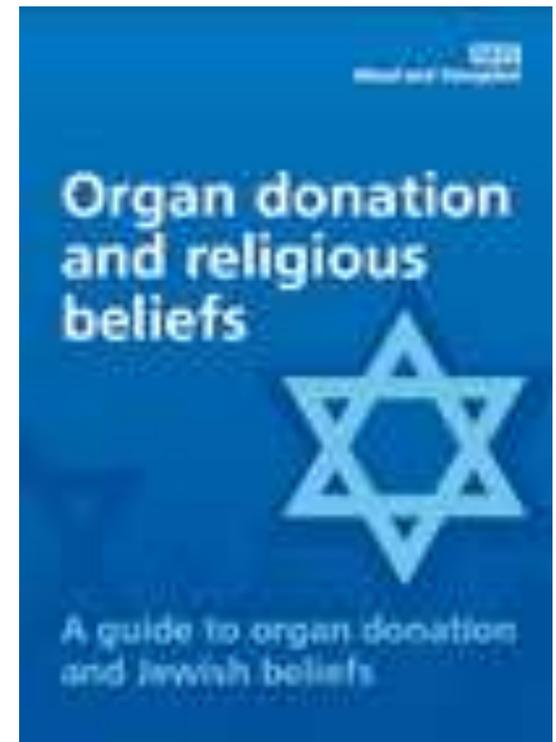
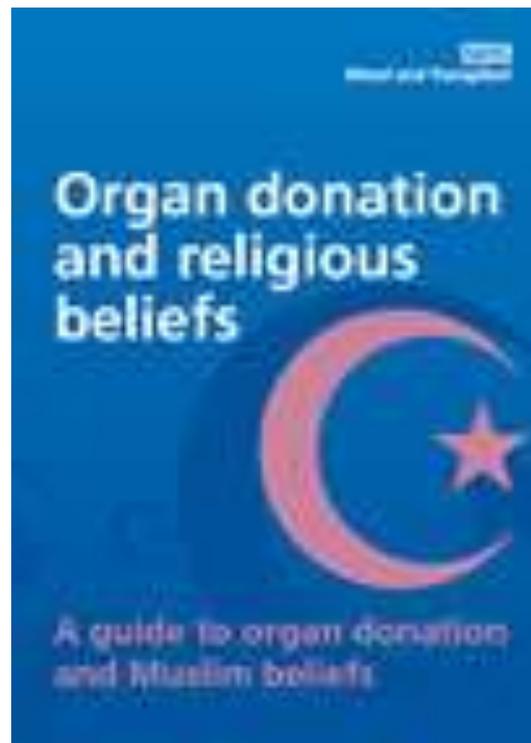
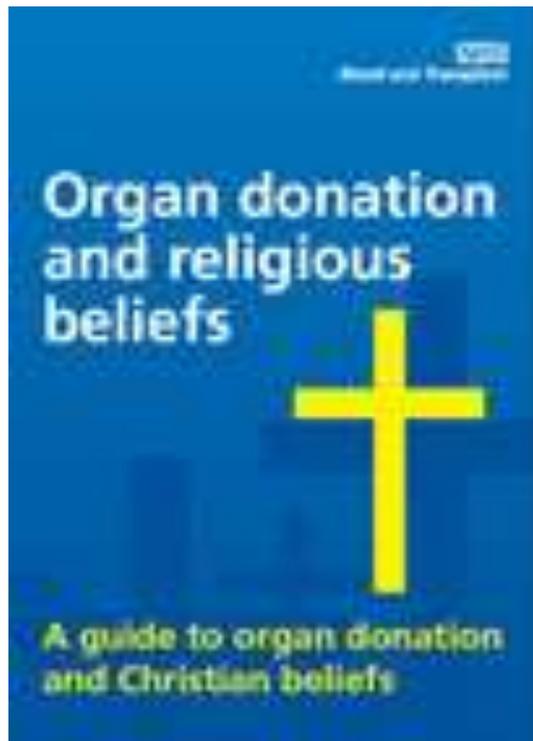
# RECOMMENDATIONS

# 1) Honesty

- in public campaigns; &
- when obtaining consent

# Current campaigns





“The current discourse between organ procurement organisations and the public is **tainted with self-interest**”

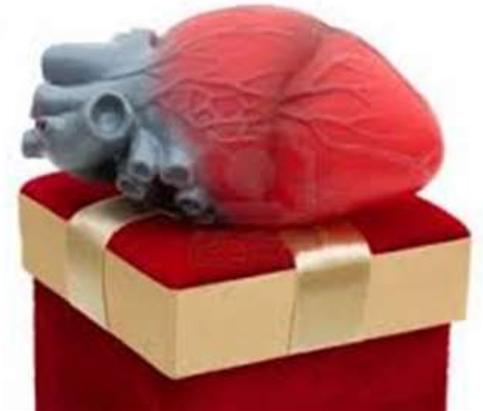
Frank Chaten (2013)



**INNOVATIVE THINKING  
FOR THE REAL WORLD**

## 2) Legal recognition for other definitions of death

# *The Gift “of Life”*



*Thank you for your attention*

kachoong@uclan.ac.uk