

Article

Organ Donation in Islam: A Search for a Broader Quranic Perspective

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Abstract: Organ donation is a widely debated issue in Islamic scholarship. Muslim jurists, however, have produced a substantial amount of evidence supporting its legality. Despite this, previous research has revealed that Muslim communities around the world are still wary of organ donation. The main reasons for this attitude are motivational and educational in nature. To address these two problems, the purpose of this research is to look into the Quranic conceptual background, which could help to expand the justification of organ donation in the motivational context. This study investigated the Quranic verses that scholars have cited in their writings on organ donation and transplantation. The theoretical underpinnings for the use of those verses were deduced. Data were collected from 36 studies on organ donation that refer to Quranic verses and examined how those verses were analyzed. This study discovered that a number of Quranic verses were primarily used to justify the permissibility of organ donation, with little effort made to analyze the verses using specific methodologies dedicated to the Quranic texts. As a result, the outcome may not be helpful to solve the current dilemma which is Muslim communities' reluctance to donate organs. Hence, it is important to explore a broad theoretical framework for organ donation based on the Quran. This study suggests how to bring this new perspective to the subject and overcome the existing problem.

Keywords: Quran; organ donation; organ transplantation; charity; Islamic law



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1. Introduction

1.1. Background

In Islamic medical ethics, seeking treatment for every ailment and providing quality care for ailing persons are clearly prescribed. The Arabic term “shifa” (cure) was used in the Quran and repeated six times (Ibrahim et al. 2017) and the Quran itself was also described a ‘cure’: “And We send down from the Quran that which is a healing and a mercy to those who believe” (Quran, 17: 82). Seeking medical treatment was also advised by the Prophet Muhammad, who said: “O Worshipers of Allah! Seek medical treatment, for Allah has not made a disease without making a remedy for it, with the exception of one disease. They asked, ‘O Messenger of Allah! What is it?’ He replied, ‘Old age’.” (narrated by Abu Daawood, At-Tirmithi, An-Nasaa’i, and classified as authentic). He further advised: “Treat Your Sick ones with Charity (al-Jāmi al-Saghīr, Hadīth, 5669).” Organ donation is a charitable, benevolent, altruistic, and humane act. It has the ability to greatly alleviate the suffering and sorrow of those who are sick. It can save many human lives and improve the quality of life for many others (Chamsi-Pasha and Albar 2017).

In Islam, two primary sources of reference, namely the Quran and Hadith (sayings of the Prophet of Islam) are silent as the issue has only emerged in the modern age of sophisticated medical advancement. However, the permissibility of organ transplantation and donation was confirmed by Islamic jurists under the fourth foundation of Islamic law, which is called ‘analogy’ (Qias). Now, most of the Muslim countries have approved and legalized this medical practice and it is championed by popular religious bodies (Abbasi et al. 2018). Many studies suggest that most of the Western Muslims stated their decisions

concerning organ donation were influenced by interpretation of Islamic religious scriptures such as the Quran and the Hadith (sayings and deeds of Prophet Muhammad). They have rated the importance of both sources respectively by 87.4% and 75.7% (Sharif et al. 2011).

However, in the context of the shortage of organ donors among Muslim communities around the world, as Uskun and Ozturk (2013) found, “most of the religious leaders who responded (71.5%) believe that donation is appropriate according to Islamic beliefs but among the religious officials 32.7% said that they do not have enough knowledge about organ donation.” In another survey, Tumin et al. (2013) found that among the major religious groups, the refusal to donate organs stems from a complex array of factors including religious belief and Muslims (adherents of Islam) demonstrate the most ambivalence toward organ donation. They argue that changing Muslim attitudes on the subject has been difficult, resulting in low rates of organ donation. Despite widespread agreement on the importance of organ donation, the low rate of actual donation in practice encourages researchers to encourage people to donate organs.

1.2. Literature Review

The verdict on organ transplantation in Islam is disputable and varying (Abbasi et al. 2018). Organ donation has been deemed permissible by the majority of Islamic scholars. It has also received widespread support from Islamic legal bodies in the East and West, provided certain conditions are met. It was legalized in most of the Muslim countries as practiced in Saudi Arabia, the Gulf Countries, and Iran (Chamsi-Pasha and Albar 2017). However, in practice, the trends and tendencies of organ donation among Muslim communities around the world have yet to reach to a satisfactory level. In the majority of Islamic countries, the numbers are lower than expected. One of the causes of this low transplant activity includes lack of public awareness and lack of support by Islamic scholars (Ghods 2015). Altnörs and Haberal (2016) mentioned that “our literature survey clearly revealed that transplant is still in its early stages in many Islamic states”.

Most previous studies on organ donation have focused on Muslim scholars’ agreement and disagreement on the issue, as well as permissibility terms and conditions and prohibited practices. The debate also continues on the definition of brain death and raises questions on end-of-life organ donation because surgical procurement of organs from the dying donor could be the proximate cause of death of the donor (Rady and Verheijde 2009). Albar (1996) mentions that “the controversy on end-of-life organ donation stems from: (1) scientifically flawed medical criteria of death determination; (2) invasive perimortem procedures for preserving transplantable organs; and (3) incomplete disclosure of information to consenting donors and families.” There are studies in the literature that highlight approaches to the validation of the supportive and opposing Islamic legal verdicts (fatwas) on organ donation (Rady and Verheijde 2014). There is also a significant focus on the role of religion in shaping the attitude of a prospective Muslim donor.

Tumin et al. (2013) mention that the “refusal to donate organs stems from a complex array of factors including religious belief and among the major religious groups, Muslims (adherents of Islam) demonstrate the most ambivalence toward organ donation. One important factor stems from there being no clear theological position on the issue, with conflicting legal rulings from Islamic scholars concerning the legality of brain-death criterion, donation and transplantation.” Again, Tumin et al. (2013) find in their survey that “from the initial 68 respondents who indicated ‘No’ to organ donation, only 18 indicated willingness to change their decision if given permission from religious authority.” In a bid to develop their own standpoints towards organ donation, Muslims living in the West rely heavily on fatwas imported from the Muslim world (Ghaly 2012).

Data from a survey of Muslims residing in Western countries have shown that the interpretation of religious scriptures and advice of faith leaders were major barriers to willingness to allow organ donation. Transplant advocates have proposed corrective interventions: (1) reinterpreting religious scriptures, (2) reeducating faith leaders, and (3) utilizing media campaigns to overcome religious barriers in Muslim communities

(Albar 1996). Lack of awareness of the support of Islam for organ donation and fear of disfigurement were the most common barriers cited. The effectiveness of our brief religious education intervention suggests that further education may improve organ donation rates among the Muslim community (Hafzalah et al. 2014). In Turkey, religious beliefs contribute (26.2%) to refusal to donate organs (Bilgel et al. 1991).

Because the issue of organ donation is not unequivocally addressed by the Qur'an and Sunnah, we discovered a significant use of the Quranic reference in the previous literature, either to support the jurisprudential debate on the issue or to support the relevant Islamic legal maxims under the methodology of 'objectives of Islamic law.' Thus, the permissibility of organ donation was processed under ethico-legal deliberation, 'ijtihad, marshaling scriptural evidences and precedents to support their views (Padela and Auda 2020). The majority of the literature used the objectives (maqasid) of the Islamic law (preservation of person's religion, life, mind, property or progeny) (Rady and Verheijde 2014) for the validation of the supportive and opposing Islamic legal verdicts (fatwas) on organ donation. It was made permissible because organ transplantation and donation could potentially save a life. Therefore, it fulfills the requirements of the 'preservation of human life' under the legal principle of 'dire necessity' (darura). This principle overrules prohibitions when a dire necessity (darura) exists (Padela and Auda 2020). This position is supported by the following verse in the Quran: "But if one is forced by necessity without willful disobedience, nor transgressing due limits—then is he guiltless. For Allah is Oft-Forgiving Most Merciful." Thus, the permissibility of organ transplantation is determined on the urgent need to save the life of the patient in a crucial situation when no other lawful options are available (Isa 2016). Other legal maxims are used and championed in verses from the Quran. For example, (i) deeds are judged by their goals and purpose; (ii) harm must be eliminated, "and if anyone saved a life it would be as if he saved the life of the whole people" (Quran, 5: 32); (iii) hardship begets facility, supported by the following Quranic verse: Translation: "Allah intends every facility for you. He does not want to put you to difficulties" (Quran, 2: 185). The majority of the Muslim scholars and jurists belonging to various schools of Islamic law have invoked the principle of the priority of saving human life (Chamsi-Pasha and Albar 2017).

However, in the vast majority of cases, the verses in question were neither substantively analyzed in light of Quranic exegetical traditions, nor were they thematically addressed in context of the numerous other verses on the same subject. Therefore, a broad Quranic conceptual basis of the topic has yet to emerge. The same situation exists in the prophetic traditions of Islam (Sunnah). A broad conceptual base of the topic based on these two primary sources of Islam could help to overcome the current dilemma of "negative attitudes toward organ donation" (Padela and Auda 2020) among Muslim communities. Because, as Rady and Verheijde (2016) argue, the "moral precepts described in the Quran encourage Muslims to be beneficent, but also to seek knowledge prior to making practical decisions." Direct scriptural sources along with the legal rulings by jurists could be more effectively used to explain the ethical, moral, and legal foundations of transplantation and associated issues (Golmakani et al. 2005). A mere legal position of permissibility has proven to be less effective in changing the attitudes of Muslim communities because it remains a moral choice rather than legal obligation. This problem will continue to exist unless a comprehensive Qur'anic perspective on the motivational paradigm on this issue is developed through a thorough examination of the verses involved.

2. Materials and Methods

This research collected data from secondary sources include journal articles, books, and theses. There is generally plenty of literature available on organ donation or transplantation. An Islamic perspective of the concept has also attracted a considerable attention from scholars of the field. From more than 100 hundred references, we have selected 36 studies which have clearly made Quranic reference either to justify the permissibility of organ donation or its impermissibility. We have examined the context and theoretical underpinnings of those

verses. Moreover, an investigation was also made to identify the analytical rigor that was used in dealing with the selected verses. Many empirical studies on organ donation were conducted among the majority and minority Muslim communities to examine their knowledge, attitudes, and practice. As the aim of the current study was to explore a potential expansion of the existing theoretical limit of organ donation in Islam, it remains a textual analytical methodological limitation. I therefore found the scope of using empirical instruments or the empirical cycle—observation, induction, deduction, testing, and evaluation—is limited.

3. Results

The findings show that organ donation and the Quran are inextricably linked. The absence of the term “organ donation” in Quranic usage does not imply that the concept is not present. Scholars of the field have evidently discovered many conceptual underpinnings of organ donation, each of which is corroborated by the Quranic verses. The popular concepts in this connection include: (a) forced by necessity (darurah); (b) saving human life (hifz al-Nafs); (c) accountability for own deeds; (d) generous donation (Ithar); (e) generosity (fadl and ihsan); (f) human dignity (karamah); (g) concept of life and death; (h) cooperation; (i) sacrifice life for the sake of God; (j) breastfeeding; (k) prohibition of killing life; (l) concept of facilitation (taysir); (m) prohibition of causing harm; (n) importance of treatment. However, those using these evidential processes did not always adhere to a strict methodology when analyzing the verses. Hence, there was hardly any substantial Quranic solution to the existing problem of organ donation offered (see Table 1).

According to the previous literature, there is enough convincing debate about the legal permissibility of organ donation. However, there is hardly any motivational model for organ donation among Muslim communities. Thus, a search for such a Quranic model requires basic premises. This research addresses this particular problem.

Table 1. Quranic verses used in the literature and their theoretical connection.

Accountability for own deeds
6:163, 17:15, 35:18; 39:7
Padela and Auda (2020)
Breastfeeding
2:233
Bakru (2001)
Concept of facilitation (taysir)
2:185; 4:28; 5:6; 22:75
Bakru (2001)
Concept of life and death
32:9; 4:93; 56:83–85; 36:78; 9:35
Padela and Auda (2020) , (2009); Arbour et al. (2012)
Cooperation
60:8–9; 5:2
Arbour et al. (2012) ; Bakru (2001); Arif (2011)
Forced by necessity
2:173, 5:3, 6:119,145, 6:115,145; 5:3; 16:115; 5:3, 6:145
Bakru (2001); Azizah, A. N.; Uthman (2009)
Generosity (fadl and ihsan)
2:237; 28:77
Bakru (2001)
Generous donation (Ithar)
59:9;
Azizah, A. N.; Arif (2011) ; Shadhili (n.d.) ; Bakru (2001)
Human dignity
4:29, 2:102, 6:141, 17:26, 30:38, 51:19, 70:24
Padela and Auda (2020) .
Importance treatment
2:193; 5:3; 6:145; 16:115; 3:180, 9:134–135, 4:29, 2:190, 38:41–42, 37:145–46,2:173
Shadhili (n.d.)

Table 1. Cont.

Prohibition of causing harm
2:195, 4:29
Shadhili (n.d.)
Prohibition of killing life
4:29
Bakru (2001)
Sacrifice life for the sake of God
2:207
Arif (2011)
Saving human life
5:32; 17: 23, 4:92, 5:32,6:151, 2:132–133, 39:42
Rady and Verheijde (2009) . Azizah, A. N. ; Arif (2011) ; Shadhili (n.d.) ; Bakru (2001) ; Chamsi-Pasha and Albar (2017) .

4. Discussion

It was observed in the previous research that a few verses were chosen randomly to support the concept of organ donation rather than using a conceptual framework based on all the relevant verses. This popular analytical style is often named as a ‘thematic approach’ to the Quran. This robust evidential process is potentially more powerful than a ‘selected-few approach’. The selected-few approach could be convincing to establish the permissibility of organ donation from a legal point of view. However, it may not be sufficient motivation for Muslim communities to change their attitudes towards organ donation in practice. Mere evidence of the permissibility of organ donation hardly conveys the motives and benefits behind this practice. Thus, it has limited capacity to generate a strong moral imperative towards organ donation. In Islam, this act should be seen as a virtuous deed (al-amal al-salih) which is a guiding principle for Muslims’ behavior. Virtuous deeds are intertwined with the Islamic belief system (iman). In fact, practicing virtuous deeds demonstrates that one’s heart holds the correct belief. This is why the Holy Quran speaks of true Muslims very often as “those who believe and do good deeds”. In Islam, donation is linked to one’s faith. The Prophet of Islam said: “donation (sadaqah) is a proof.” It means the proof or evidence of the true faith the giver possesses ([Baqtayan et al. 2018](#)).

The scope of permissibility and moral imperatives for organ donation could be understood in a wider framework. It has been observed that the contextualization of Quranic evidence of organ donation by previous researchers was often from a narrow perspective rather than using the broad Islamic concept of ‘social solidarity’. For example, the concepts of patient care, application of the juristic principle ‘forced by necessity (darurah)’, importance of saving human life (hifz al-Nafs), generosity in donation (ithar), human dignity (karamah), mutual cooperation, sacrifice life for the sake of God, a juristic concept of facilitation (taysir), etc., are discussed briefly as well as superficially. In fact, these concepts are nothing but sub-issues of the Islamic concept of social solidarity and responsibility. This study hypothesizes that if this background concept were discussed in light of the Quran and Sunnah, a motivational domain for volunteerism in organ donation might emerge.

Social Solidarity, Volunteerism, and Human Bond

Social solidarity in Islam is meant to encourage all parties of society take a collective responsibility towards the broader community in order to bring about a common good. Consequently, all individuals in society will be able to contribute to preserving the public interest and repelling harms ([Abu Zahra 1991](#)). This definition is championed by the following sayings of the Prophet Muhammad: “The relationship of the believer with another believer is like (the bricks of) a building, each strengthens the other.” The Prophet illustrated this by interlacing the fingers of both his hands (Al-Bukhari and Muslim). “A believer is the mirror of his brother. A believer is the brother of another believer. He protects him against loss and defends him behind his back” (Al-Adab Al-Mufrad 239). “You see the believers as regards their being merciful among themselves and showing love

among themselves and being kind, resembling one body, so that if any part of the body is not well then the whole body shares the sleeplessness (insomnia) and fever with it" (Sahih al-Bukhari 6011). "A Muslim is a brother of another Muslim. Thus, he should not oppress him. Whoever fulfills the needs of his brother, Allah will fulfill his needs; whoever removes the troubles of his brother, Allah will remove one of his troubles on the Day of Resurrection; and whoever covers up the fault of a Muslim, Allah will cover up his fault on the Day of Resurrection" (Riyad as-Salihin 233).

In Islam, social solidarity is a 'general obligation' that is owed to everyone in the community, regardless of ruler or subject. The general principle in this common responsibility is reflected in the statement of the Prophet of Islam: "All of you are guardians and responsible for your wards and the things under your care. The Imam (i.e., ruler) is the guardian of his subjects and is responsible for them and a man is the guardian of his family and is responsible for them. A woman is the guardian of her husband's house and is responsible for it. A servant is the guardian of his master's belongings and is responsible for them (Al-Adab Al-Mufrad, Book. 9, 206)." All of them are connected to the close bond of social solidarity between human beings within the framework of the solid faith (Qutb 2013). Therefore, Islamic social solidarity encompasses every aspect of human life including health-care rights. Islam is not merely an order of charity and philanthropy but a comprehensive order of development, production, and public interest. This is how the concept of Islamic social solidarity is denoted (Qutb 2013). Many Muslim scholars have seen it as a foundation of Islamic society which regulates a complete social system (Habib 1963). A Turkish Muslim scholar, Nursi (2009) considers it as a virtue. He encourages Muslims to practice social solidarity and to take the Quranic direction in this regard—"The believers are together like a well-founded building, one part of which supports the other"—as a guiding principle in life. He adds, "My first and last advice to you is to preserve your solidarity; avoid egotism, selfishness". Muslims should rather assist each other with all their capacity in order to achieve the common goal; they march towards the aim of their creation in true solidarity and unity. Solidarity in a society results in tranquility in all its activities.

The principles of social solidarity could be achieved by donation for the sake of God (Al-Zuhaili 1997): "For those who do 'good' in this world, there is good, and the home of the Hereafter will be better. And excellent indeed will be the home (i.e., Paradise) of the Muttaqun (pious) (Quran, 16: 30)." "By no means shall you attain Al-Birr (piety, righteousness, etc., it means here Allah's reward, i.e., Paradise), unless you spend (in Allah's cause) of that which you love; and whatever of good you spend, Allah knows it well (Quran, 3: 92)".

According to Darwaza (1963), any community that exercises solidarity and cooperation develops a spirit of affection, love, satisfaction, and tolerance. It could promote among the community a sense of respect and protection of life. As a result, members of the community would seek volunteerism for the common good. Qutb (2013) asserts that when Islam deals with donation, the entire Islamic system is based on the concept of solidarity. His opinion is supported by the following Quranic verse: "And whatsoever you expend in the way of God shall be repaid you in full; you will not be wronged (Quran, 8: 60)".

Islam encourages volunteerism as a priority. Muslims are encouraged to follow this paradigm of their very first generation. "And those who made their dwelling in the abode, and in belief, before them; love whosoever has emigrated to them, not finding in their breasts any need for what they have been given, and preferring others above themselves, even though poverty be their portion. And whoso is guarded against the avarice of his own soul, those—they are the prosperous (Quran, 59: 9)". This verse introduces the concept of 'priority donation'. It was expounded by many Quranic exegetes as follows: (a) highest degree of generosity in donation of an asset that the owner loves and still needs (Al-Sadi 2000); (b) prioritizing public interest over self-interest in sacrificing one's legitimate fortune for the sake of God (Al-Zuhaili 1997); (c) donating one's assets for the public welfare (Ibn Ashur 1997).

The bonds of religion and Islamic brotherhood are enjoined by Islam. Unity is based on the ‘brotherhood of belief’ from which springs mutual co-operation in many areas of life. As a result of this sacred brotherly bond, all Muslims are united as a single community. Through sincerity and self-sacrifice, the Islamic brotherhood of the unified community of believers has unfolded to a high degree (Nursi 2009): “And the believers, the men and the women, are friends one of the other; they bid to honor, and forbid dishonor; perform the prayer, pay the alms, and obey God and His Messenger.” “Those—upon them God will have mercy; God is All-mighty, All-wise.” (Quran 9:71) “They enjoin good and forbid evil”.

Achieving good and repelling evil requires guardianship, solidarity, and cooperation. Hence the believing nation stands united (Qutb 2013). Islam considers ‘the principle of mutual assistance’ to be fundamental in life, rather than conflict. In the ties between communities it accepts ‘the bonds of religion, class, and country,’ in place of racialism and nationalism. Its aims are to place a barrier before the illicit assaults of the soul’s base appetites and to urge the spirit to sublime matters, to satisfy man’s elevated emotions and encourage him towards the humanly perfections. As for the truth, its mark is concord; the mark of virtue is mutual support, and the mark of mutual assistance, hastening to help one another. The marks of this religion are brotherhood, attraction, unity, and solidarity.

In the aforesaid religious maxims, ‘brotherhood’, ‘solidarity’, and ‘charity’ are essential motivators for organ donation among Muslim communities around the world. Like other faith groups, Muslims have a strong faith-based social tie which they use for their common good. Brotherhood is considered as a fundamental agent to this end. It leads to social solidarity in the community which eventually brings about volunteerism. To overcome the current reluctance to donate organs requires a high degree of volunteerism which results from brotherhood and social solidarity.

5. Conclusions

Transplantation in general is seen as an ongoing form of charity (Van et al. 2011). The justification of organ donation is popularly accepted by the Muslim population in the East and West. There is hardly any fundamental difference in this general acceptability among majority and minority Muslims. The reason behind this coherent stand lies in Western Muslim communities’ heavy reliance on on fatwas imported from the Muslim world (Ghaly 2012). Nonetheless, the general public is still hesitant to participate in practice. As a result, it is important to realize that legal permissibility has little impact on changing people’s minds about organ donation. To improve this situation, the Muslim religious community must be motivated by a variety of Qur’anic imperatives. This could help in making transition from juristic justification of the permissibility of organ donation to a moral obligation in the framework of social responsibility. If a conceptual model of organ donation is developed based on the Quranic concept of social solidarity, an automatic spirit of volunteerism to donate an organ to save a life could emerge among Muslim communities around the world.

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