

KIDNEY SELLING: A PAKISTANI PERSPECTIVE

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ABSTRACT

Each human organ performs specific function and is vital for the survival. But drastic times call for drastic measures and people resort to vending their normal being just to find the wherewithal and keep body and soul together. This paper highlights selling of a kidney and examines the reasons for which people indulge in the act of kidney selling, the process by which kidneys are sold and the laws and regulations in Pakistan pertaining to control of this racket.

INTRODUCTION

The human body is complex and incredibly sensitive. Just as over-use or over-exposure can have detrimental consequences, the human organs can also be damaged in various ways, particularly if they are made to experience unnecessary and excessive stress. A huge number of individuals, young and old alike suffer from health issues pertaining to improper or lack of functioning of some organ and organ transplants have become a common thing. Heart transplant and kidney transplant happen to be two of the most common organ transplants that hospitals and doctors cater their patients with.

A decade or so ago, such organ illnesses and deficiencies were considered to be novel diseases. The mere idea would shock individuals as the concept was largely unheard and unseen off. However, as the situation around the world has changed drastically over the years in terms of the diets, lifestyles etc. of individuals, many health issues that were previously considered fiction have become prevalent. This paper will focus on kidneys and kidney-related issues in particular from a Pakistani perspective. The aim is to bring the stark issue of organ selling (specifically kidney selling) to light by highlighting the purpose and significance of this organ for humans, the functions it performs, the diseases that it becomes

subjected to and the most common and prevalent kidney diseases in Pakistan.

THE HUMAN KIDNEY

The kidneys form a fundamental part of the excretory system and play a significant role in the removal of metabolic waste material from the body. Metabolic waste is material produced as a result of the chemical reactions and metabolism of the body. This material, if allowed to accumulate in the body, can result in harmful consequences hence, it must be removed (Mackean, 2002).

The human kidneys are shaped like a bean and lie within the abdominal cavity. While there are naturally two kidneys, an individual needs at least one for survival. Hence, if one of the kidneys fails, an individual can still carry on with the remaining one. These organs lie near the vertebral column and are located right above the waistline in human beings. They are approximately 4 inches long and 10.2 inches wide. In addition, the left kidney lies at a position slightly higher than that of the right kidney.

The kidneys are located such that each is connected to the renal arteries and renal veins. In addition, a tube, called the ureter, takes the urine from the kidneys to the urinary bladder from where it is finally released and excreted out of the human body through the urethra (Mama's Health, n.d.).

Hence, the primary function of the kidneys is to form urine. The nephrons are the specific part of the kidneys where this formation of urine occurs. This happens by the processes of Ultra-filtration and Selective Re-absorption during which some mineral salts, toxins, urea and other nitrogenous and metabolic waste products are removed from the blood and water, while glucose and some mineral salts and electrolytes are retained. Hence, as brought to light earlier, at least one of the kidneys must function in order for an individual's life to be maintained. Therefore, the kidneys are extremely crucial organs of the body.

REASONS LEADING TO KIDNEY SELLING

There are various reasons that cause people to indulge in this act. This section will take a look at those reasons.

Poverty

Inability to Sustain a Living: Poverty is one of the major reasons for people indulging in this act. According to BISP (2012) 45% of Pakistan's population is living below the poverty line. Pakistan is not a wealthy country and the major chunk of Pakistan's population is confined to living in rural areas. In addition, the drastically increasing inflation is an additional factor that has made it even more difficult for an average individual to sustain and his family's living. It can only be imagined what the situation for the poor must be like if it is this tough for the average middle-class families only. Drastic times call for drastic measures and hence, many people have no option but to sell their kidney to obtain money for their and their family's survival. Many find it to be a convenient option since it is a known scientific fact that a person can survive with only one kidney as well.

Many people suffering from health issues are unable to receive proper treatments due to financial issues. This however, is not the end of it. Illiteracy prevails and a large number of populations of Pakistan are deprived of the blessing of education only (let alone education of good quality). This is a highly severe issue. Moreover, if this is not all, the transportation expenses are extremely high and prices of public transport tickets are skyrocketing, not to mention the fuel prices that show no signs of lowering down as well. Sehrish Wasif (2011) has written about Asif Ali Zardari's visit to Dubai for his medical treatment in 2011 that cost lakhs of rupees per day (Wasif 2011). By this, the writer aimed to bring to limelight how the few rich and elite have access to quality living and health treatments whilst the masses and general population suffers. To corroborate this further, the writer narrates the story of a poor Kashmiri man residing in Pakistan whom she met at her office. The man was a victim of dire poverty and would eat from a *langar* and sleep on a bench in front of Pakistan Institute of Medical Sciences (PIMS). His medical condition required him to undergo an eye surgery and the financial constraints he was a victim of made it impossible for him to afford the treatment. Hence, the poor soul was left with no option but to sell one of his kidneys to finance the necessary eye surgery. This is therefore, a classic example of a case where poverty made it the

need of time for a Pakistani individual to sell his kidney. This is just one example of many.

There is definitely wisdom in words that state that poverty makes a man dependant and vulnerable. The situation of kidney selling for the sake of sustaining one's self and family and getting rid of poverty has reached such devastating extents that people sell their kidneys for around one thousand to five thousand rupees worth of money and then they are sold to the recipients at an alarmingly high amount of one to two lakh rupees.

Similarly, a lady named Nasreen Kausar, her sisters, her brothers, her sisters-in-law and her nephews have all been a part of the practice of selling kidneys (MSNBC News, 2006). These individuals belong to a family of farmers and were victims of poverty. Once again, just like the previous example, this example too is a classic case of how poverty makes people resort to taking drastic measures. In Pakistan, the situation is such that a kidney allows donors to receive around two thousand five hundred dollars a year (sometimes also less than the half of the amount). The recipients, on the other hand, pay around six thousand to seven thousand dollars a year and there are around two thousand recipients each year. As a result of such heavy involvement in kidney selling and trade, Pakistan has gained a reputation for being a kidney *Bazaar* and the Makkah for patients in need of kidney transplants internationally.

In addition, Pakistan is a country where corruption knows no bounds and most illegal businesses are turned into highly lucrative and profitable ones by the mafia involved in them. Similar is the case with kidney selling and transplants. The conditions are such that there are a lot of Pakistani villages where people are surviving on only one kidney. The naïve and the gullible are easy targets. For example, approximately eighty percent of the residents of Mominpura Village located in Central Punjab are surviving on only one kidney because they have been exploited into selling the other one by the mafia involved in this business. The mafia is again only able to take advantage of these individuals because of their poverty and poor living condition. The situation in the village is such that anyone above the age of sixteen is taken to the hospital for a kidney transplant. The children, the elderly and the sick are the only exceptions in this regard.

Inability to Pay Off Debts: Poverty has established its strongholds in many households in Pakistan and a lot of people, who are unable to sustain their families and themselves on their own, find themselves in the midst of a situation in which they are burdened by the pressure of mounting debts that they owe to their landlords or others. In one such case, 22-year old Ms.Sumaira, a resident of Mandiawala village located in the eastern side of Punjab (Pakistaniat 2008). Her family was under the pressure of extremely high debts of a brick kiln owner. Finally, after getting tired of the family's financial constraints and the brick kiln owner's constant demands, Sumaira made the decision of selling her kidney to obtain money.

A similar case articulated in the same article is that of Ms.Sughra Begum and her husband Mr.Muhammad Yar. Muhammad Yar sold his kidney four years before his wife to pay off the loan of their landlord. However, the effort turned out to be futile and the middle man took all the money. As a consequence, Sughra Begum was forced to sell her kidney to pay off the landlord's debt.

Finally, as if the other two examples above are not sufficient to prove the impact poverty has on people in our country, an article on *The Express Tribune* talks about a certain Mr. Pervez Masih who is a resident of Youhanabad (Youhanabad is a small Christian neighborhood that is located just outside of Lahore). His wife was shattered to discover that her husband intended to sell one of his kidneys and made an effort to put a stop to the act. But, the seriousness of the situation left Pervez Masih with no choice but to go ahead with the idea and he finally sold his kidney to pay off a debt worth rupees fifty thousand.

Similarly, a small village by the name of Kot Momin is located in Sargodha where the poor undergo a lot of suppression and discrimination at the hands of the rich landlords. Most of these people are under debts of landlords and are left with no option but to resort to selling their kidney so that they become able to pay off their debts (Views to News 2010).

All of the examples illustrated above provide proof of how poverty drives people to make extraordinary decisions and how drastic times truly do call for drastic measures.

Organ Tourism

The concept of demand and supply is one of the most fundamental concepts of economics. One of the most basic economic laws that all goods and services follow is that demand and supply both go hand in hand and as long as there will be demand for a certain good or service, the supply for the particular good or service will also exist. This same model applies to organ trade as well and hence, holds true for kidneys as well. Countries like India and Pakistan have emerged to become heavens for organ (kidney) tourists. Pakistan, as mentioned earlier already, is no less than Makkah for people involved in this activity. It often happens that people of developed countries, like the United States of America and United Kingdom have to wait for many years for a kidney to become available that is in accordance with their disease and priority needs and undergo costly medication and dialysis treatment. Moreover, the nation's own donor lists tend to skip the entire process altogether by flying out to an organ (kidney) market and having a kidney transplant for the cost of a single year's treatment while they wait in their own country. The eventual consequence is that as long as no major measures are taken to curb down the demand, any efforts to restrict and limit supplies will bear no fruit and will be met with limited success only. The final result is a zero sum game where both, the government as well as the people lose while the profiteers continue to enjoy success.

It is immensely interesting to note that the majority of the customers for kidneys come from countries like the United States of America and various European nations. However, while the customers' own countries (The United States of America and European nations etc.) have very highly stringent controls on their medical practices, the same cannot be established for their regard for other countries. The lack of government response to these controversies must be met by strong protests by the governments of affected countries like Pakistan and India. Patients with medical conditions must be barred entry into countries to prevent further organ theft. The usual response to such calls is that governments do not have the rights to deny their citizens the liberty of travelling when and where they want and as such, cannot impose such restrictions. However, in that case organ traffickers would just keep coming up with elaborate ways to continue the practice. Thus

if the western nations cannot impose on their citizens to value and uphold the sanctity of life and human body elsewhere in the world, the governments of organ tourism countries must take on it themselves to bar entry to such citizens and deny them visas.

Selling of Kidneys as an Act of Charity and For Goodwill

Islam places high value on moral and ethical principles and on doing good to others. A lot of individuals in Pakistan are in genuine need of a kidney transplant because of their health conditions. Since, scientific research has already proven that a person is perfectly capable of maintaining life and surviving well in the absence of a kidney as well because the one remaining kidney is enough to fulfill the body requirements; a section of people take the decision of donating to help the others out (those who have damaged kidneys and are in need of a kidney transplant). It is looked upon as an act of goodwill and charity and they do it to obtain Allah's (The Creator's) blessings. This is because Islam preaches doing well to others and helping those out in need. Islam's lessons regarding goodwill and doing well are many and since Pakistan is a Muslim country, many people here think along the lines of Islam and Islamic teachings. Hence, the feeling of being charitable and generating goodwill and the prevalence of diseases remain to be one of the biggest reasons for people resorting to the practice of kidney donation and selling in Pakistan.

CONSEQUENCES OF INDULGING IN SUCH PRACTICES

Pakistan has a large number of people who have indulged themselves in this practice as mentioned already in the paper. Since the reasons for indulging in this act revolve primarily around the existence and spread of poverty in Pakistan, it must be made clear that people who do resort to such practices do so to improve their situation, primarily financially. They think short term and tend to ignore the detrimental consequences, their decision holds in the long term because in majority of the cases the price of donation that a donor pays is bigger than the benefit he or she earns through the performance of the deed. The various cases of individuals who became a part of this act that have been discussed above also have a negative side associated with them as the consequences were harmful (Siddiqui 2012).

For instance, let us consider the example of Sughra Begum illustrated earlier. She and her husband both sold their kidneys to become able enough to pay off the debt they owed to their landlord. Initially, it was Sughra Begum's husband, Mr. Muhammad Yar who sold his kidney. However, his effort became futile as the middle man involved in the transaction took all the money and the debt remained unpaid. Consequently, four year after her husband had sold his kidney, Ms.Sughra Begum was left with no choice but to follow suit in her husband's footsteps because of the burden of loan and debt. However, once again fate took a dreadful turn for the family and the kidney transplant began to show its negative impacts on the health of its victim, Ms. Sughra Begum. Her health deteriorated. She suffers from constant illnesses and her husband's condition also remains critical. As a result, the family had no choice left but to take another loan from their landlord and now they are back in debt once again.

An article on NBC news also mentions two such cases where the sellers became worse off than they were before and after selling their kidneys. A 50-year old farmer, Mr. Allah Yar who sold his kidney talks about how the decision and action has had an immensely adverse impact on his health. He mentions how he has been a victim of poor health for the seven years that he has spent after donating his kidney. In addition, his situation in terms of finances remains at stake. The reason for him to sell his kidney was to pay off a loan however, he received much less for his kidney than the amount he was indebted with and continues to remain deep in debt. Similarly, a 22-year old brick kiln worker, Mr.Muhammad Akram sold his kidney to pay off his father's debt but his situation has also become worse ever since he sold the organ because of his deteriorating health. Case of Mr.Pervez Masih who sold his kidney due to his poverty and his family's inability to pay off debts is also mentioned earlier. His condition also worsened after the transaction. He suffers from health issues and hence, the performance at work and output is poor. He can no longer work as hard as he used to before.

Hence, it remains established that all that glitters is not gold and while it does seem to people indulging in kidney selling that donation of a kidney will make them much more better off, the picture is only short term. The real picture is much grimmer and

such people actually end up suffering more than they used to before selling their kidney (Moazzam 2012).

THE KIDNEY SELLING PROCEDURE

The entire process of kidney donation is not as simple as it might seem (Usman 2012). It is not a single step process, that is, it is not a simple interaction between a buyer and a seller. Rather, there are middle men and intermediary agents involved, all of whom receive a fair share of commission for the role that they play in the process. Consider Pervez Masih's case again. His sale lasted a mere twenty days. One of his friends in the neighborhood, Sohail was a kidney broker. He promised a fair amount of money to Pervez from the transaction and connected him to the people who perform the actual act. It was through him that Pervez received a call to visit a man in Rawalpindi for conduction of his medical tests. Once again, a middle man was involved and he met up with a man who then took him to a big house located at a particular address in the city. The house was actually an underground hospital and was well equipped for the operation. Ten days later, Pervez was called again. This time he was made to stay for a week. During this time, the operation was performed and was done so in a surreptitious manner that Pervez got to know nothing about the doctors or the recipient.

Similarly, the case of Ms. Sumaira discussed earlier also illustrates the importance of the role of intermediaries and middle men. Her transaction occurred in such a way that her parents took her to a hospital for the transplant. The whereabouts of the hospital were revealed to Sumaira and her family through a local religious head (*maulana*) who charged a fee for his services. Once at the hospital, Sumaira underwent some pre-surgery medical tests and was made to sign an agreement with the hospital that bounded her to the hospital for selling her kidney. Once a suitable recipient for the kidney was identified, she was called to the hospital for the surgery. Kidney sellers receive more for a kidney sold to a foreigner than they do for one sold to a local. In addition, it is a general practice for donor and recipient to meet before the transplant to generate goodwill. However, Sumaira's recipient, Thor Anderson, a resident of London refused to meet her because of the general anti-west sentiment that prevailed amongst the

Pakistanis because of the Iraq war. Eventually, the process was completed and all parties involved received a fair share of money. Similarly, a Kidney Selling Association exists at Kot Momin village in Sargodha. A Kidney Selling Association exists in this city that is responsible for making people sell their kidneys. Once again, intermediaries are involved. The kidneys are sold in cities like Islamabad and Lahore through agents.

LAWS AND REGULATIONS REGARDING KIDNEY SELLING

There is no doubt that a lot of corruption exists in Pakistan and even though organ trade and hence, kidney trade is illegal in Pakistan, a black market and mafia for the activity still exists in Pakistan and is operating successfully. Pakistan's administrative state is chaotic and it is indubitably true that Pakistan is one of those places where it is immensely easy to flourish in corruption and gain profits through wrong means (Kakar 2011).

In accordance with the results of a research conducted by the Pakistani Organization, Postgraduate Doctors Middle East, one thousand two hundred and forty four kidney transplants occurred in 2001 out of which the ratio of recipient and donor being relatives, spouses and unrelated was 613:80:533. The number of donors has drastically increased over the years and due to the increase in donors, many of the hospitals have started offering a lesser amount for kidneys than the amount they used to offer before. In addition, according to a report in the one year period between March 2010 and March 2011, around 250 kidneys were smuggled from Pakistan to outside countries (Kazim 2008). Poor donors received only one to five thousand rupees for their sale while the recipients of the same kidneys were made to pay one to two lakh rupees worth of money. This signifies how much corruption and profiteering is involved in the kidney sale business. It has even been discovered that kidneys are stolen from patients while they are undergoing other operations. However, in many cases where the seller is aware of his deed, he has been found to falsify stories and not accept his action to spare himself the imprisonment. The police are playing a role in eliminating this practice in many areas by carrying out investigations and crashing at places that carry out such activities but still a lot remains to be solved (IRIN, n.d.).

The Transplantation of Human Organs and Tissues Law was passed in 2007 that restricted the donation and purchase of kidneys, specifically from relatives. Moreover, the role of police, courts and hospitals has also increased over the years and been in support of the elimination of this practice. They have taken stringent measures and carried out careful monitoring. Sindh Institute for Urology and Transplantation (SIUT) in Karachi has carried out many awareness campaigns over the past few years and all this has helped in stunting the growth of this practice to a certain extent. In addition, the arrests and actions taken by law enforcing agencies have also successfully managed to instill fear in the hearts and minds of many individuals so that they are inclined to think twice before they decide to take any such step. It is not that simple to be open about the whole situation for a person who are involved in kidney selling and that is why most such practices are carried out on an underground level. Hence, the situation in Pakistan, despite undergoing slight improvements over the past few years, still has a long way to go before it becomes more stable in this regard.

CONCLUSION

The study on kidney selling from a Pakistani perspective focused on the issue at hand by bringing into the limelight various aspects associated with it. After a careful analysis, one discovers that just like there are two sides to each coin, there are two aspects to this issue as well. Where the practice is illegitimate, many a times the intention of the person indulging in such acts is not bad. In addition, as already discussed earlier, poverty is one of the major causes of the prevalence of this act and it remains to be eliminated. Hence, those who are genuinely in poor financial situations are mostly left with no choice but to earn this way (Journeyman Pictures, 2007). What is more important than complaining is standing up and taking a stance, improving the law and order situation and ensuring that the administrative bodies take stringent measures to improve the situation and that the government not only passes laws but also takes effective measures to ensure their implementation.

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