

Dovid Feinstein

Determining Death with a Beating Heart – Opinion of “Iggrot Moshe.”

November 26, 1992

I have already written that what our master, my father, my teacher [Rabbi Moshe Feinstein] wrote in Yore Deah III:132 is authentic and no one should question it, for it is not a forgery and this was his opinion. Some of these details I actually heard from him myself and what I wrote in a letter on Tuesday, Parshat Shmot, 5750 [1990, shown below] I have not rescinded and it is unnecessary to repeat this over and over each time some person claims that this is not an authentic response, or that this letter [of 1990] is false. I ask all that see this letter not to cause me to write otherwise.

Dovid Feinstein

Same day as above in New York

For further clarification: If he lies like a dead person and there is no movement, even if the heart is beating, since he cannot breathe [irreversibly] he is completely dead. This is added to the above to make it clearer.

Dovid Feinstein.

[Translated by Robert J. Berman]

“In Igros Moshe (Yoreh Deah, vol. 3, siman 132) he [Rabbi Moshe Feinstein] wrote that a dead person is one who isn’t breathing, but one - to whom [autonomous*] breathing can be restored by a machine - is not dead. And these words, besides having seen in writing, I have heard from him verbally. But in that responsa he adds that there is more in establishing and knowing [the time of] death, and presumably he means to say, not breathing anymore because the connection between the brain and the body has been broken, see there in the paragraph which begins: “But.” This, I did not hear from him verbally, but it is written truthfully, and there is no reason to doubt it. On this issue I have come to sign, on Tuesday, parshas Shemos, the year 5750.
Dovid Feinstein

* This was clarified in person by Rabbi Dovid Feinstein to Robert Berman and Rabbi Yossie Newfield in New York, August 2, 2004.