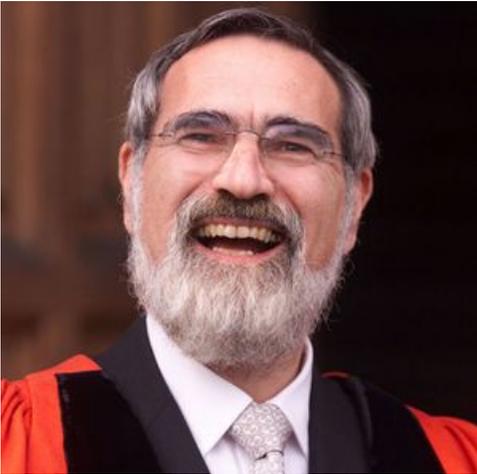


## **Britain's Orthodox Jews in organ donor card row**

By Jerome Taylor, Religious Affairs Correspondent

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### **Reuters**

Chief Rabbi Jonathan Sacks has ruled that national organ donor cards are not permissible, and has advised followers not to carry them

Britain's Orthodox Jews have been plunged into the centre of an angry debate over medical ethics after the Chief Rabbi ruled that Jews should not carry organ donor cards in their current form.

London's Beth Din, which is headed by Lord Jonathan Sacks and is one of Britain's most influential Orthodox Jewish courts, caused consternation among medical professionals earlier this month when it ruled that national organ donor cards were not permissible under halakha (Jewish law).

The decision has now sparked anger from within the Orthodox Jewish community with one prominent Jewish rabbi accusing the London Beth Din of "sentencing people to death".

Judaism encourages selfless acts and almost all rabbinical authorities approve of consensual live organ donorship, such as donating a kidney. But there are disagreements among Orthodox leaders over when post-mortem donation is permissible.

Liberal, Reform and many Orthodox schools of Judaism, including Israel's chief rabbinate, allow organs to be taken from a person when they are brain dead – a condition most doctors consider to determine the point of death.

But some Orthodox schools, including London's Beth Din, have ruled that a person is only dead when their heart and lungs have stopped (cardio-respiratory failure) and forbids the taking of organs from brain dead donors.

As the current donor scheme in Britain makes no allowances for such religious preferences, Rabbi Sacks and his fellow judges have advised their followers not to carry cards until changes are made.

Rabbi Moshe Tendler, a prominent medical ethics professor at New York's Yeshiva University, has publicly criticised the ruling.

“The Beth Din must realise they have sentenced to death anyone waiting for a vital organ transplant,” he said. “If anyone sees [brain dead transplants] you can’t have any doubt in your mind before the doctor comes to his conclusion that he is brain-stem dead. You know very well that man is dead. He looks dead; he behaves dead.”

The British Medical Association and officials from the NHS Blood and Transplant service are now seeking meetings with the Chief Rabbi to discuss how they can maximise Jewish donations. At any one time up to 8,000 patients in Britain need new organs and waiting times are particularly acute among ethnic minorities because organ donors often have to be a close tissue match to their recipients.

There has also been growing criticism that although the London Beth Din forbids Jews donating organs at the brain dead stage, they have not banned their followers from receiving organs that are taken from a Gentile who is brain dead at the time of a transplant operation.

Robert Berman, founder of the Halachic Organ Donor Society, which campaigns to increase donorship within the global Jewish community, told The Independent: “The London Beth Din has a right to reject brain death but it has to be consistent and not cynical. If Jews don't donate organs, they should not receive organs. If a Jew who is brain dead is alive in their eyes, then so is a gentile.”

The Halachic Organ Donor Society has created its own organ donor card which allows people to state their preference between donating organs at brain stem death or alternatively at cessation of heart beat. Mr Berman claims growing numbers of Orthodox rabbis are adopting national donor cards or his halakhic ones.

“Thank God Orthodox Jews can be proud in knowing there are more than 200 Orthodox Rabbis around the world that do accept brain death and support organ donation,” he said. “Unfortunately only three of them reside in England. This scandal doesn't make Orthodox Jews in England look bad... just their leadership”.

When contacted by The Independent today, the Chief Rabbi’s office declined to clarify whether followers could receive organs from brain dead gentiles. They did however forward a recent article by Lord Sacks which stated: “A good society is one in which organs are available according to need, and donated according to conscience. That applies to Jew and non-Jew, religious and secular. Even those who do not accept brain-stem death would still be able to donate organs in 70 per cent of cases, and a small addition to the procedure will allow all Jews to register. I will myself, and will encourage others to do so.”