

Here is an interesting teshuvah of R. Yosef Meshash regarding cornea. He refers to the dispute and the eventual decision of Agudath Israel in 1917 against autopsies but he sides with the one supporter: R. TZvi Bernard Illowy.

A new light is shining through all branches of wisdom and science. In the field of medicine a new procedure has been introduced in which the cornea can be removed from a dead body and transplanted, giving the recipient the gift of sight, bringing him out of darkness and enabling him to learn and teach, be productive through craftsmanship or business and support himself and his family and might even help the whole world through his enhanced wisdom and abilities. What is the opinion of Halakha on that matter? Answer: the main obstacle for allowing this procedure is the prohibition to desecrate the dead body. Well, the desecration of the dead does not apply here because the body feels nothing. The argument that the soul feels the pain of the body relies on the verse “his flesh will suffer and his soul will mourn” (Job, 14:22) it is clear that the verse is either poetic or dealing about the dying process, while the person is still alive (see Metzudath David there). Those who interpret it differently (Tosafot Yom Tov on Avot 2:7; Iyyun Yaakov on Berakhot 18 in the name of Sefer Hassidim) are only making assumptions and venturing into Midrash. The concept of desecration of the dead (Bizyon HaMet) does not refer to the dead (See Tosafot on Sotah 34:2 and Mayyim Hayyim 1:206). The desecration or disrespect is to the living, because when we see another human being lying dead we feel sorry for that person and for ourselves as we recall our mortality (See Rashi on Sanhedrin 46:2; Tosafot there “Kevurah”; Maimonides Zekhia U’Matanna, 11:24; Tur and Beth Yossef, Yoreh De’ah 348). It is therefore clear that in our case, since the doctors perform their duties behind closed doors, without any intention of malice or offense but rather to benefit the living, it is allowed. There is no desecration to the relatives or any other person and there is great respect towards the dead whose soul rejoices for the opportunity to help others... there is no difference whether the recipient is a Jew or not because when Jews donate, non-Jews will too this reciprocity will show the love between all humans who are all created by God, regardless of faith. The Midrash teaches us that God, as if it were, mourn the death of all humans, including pagans. For that reason the rabbis shortened the Hallel – Song of Joy, on the seventh day of Pesah in which the Egyptians perished at the Sea of Reeds, to inculcate human friendship and love to all, Jew and non-Jew alike,. Especially today that all nations know God and believe in His unity and Divine Providence. Maimonides has warned against deceiving or treating the non-Jews discriminately (Commentary on Kelim, 12:7), and if he said it back then, even more so today that we rely on non-Jews for medicine and services and they conduct their businesses ethically, I have to say, even more than the Jews. So if the cornea will be donated to a non-Jew it is a misvah that will please the soul of the deceased in the world of truth. In addition, the Rashba (Responsa, 1:369) allowed to a man’s sons to exhume his body in order to be transferred to its designated grave and to pour quicklime on it, saying that: “there is no fear of disrespect or suffering because the dead body does not feel a scalpel and even more so quicklime, and they used to embalm people and in the process cut open the body and remove the inner organs”... there was a case of a man who bequeathed his body to science for a fee, and the Hatam Sofer wrote (Responsa, Yoreh De’ah, 336) that this is forbidden and that man who has no respect for himself has no respect for God and would have been better for him to not have been born at all. These harsh words perplex me, why would this great rabbi unleash his wrath against a poor man who has no other means to support his wife and children? That man chose to do so through an act of loving kindness that might save thousands of life with his contribution to the expansion of medical science, which also sanctifies HaShem’s name as we learn more of His mighty handiworks... it is clear that the Hatam Sofer only opposed the sale for purposes of an demonstrational dissection in the presence of hundreds of medical students. If it is done in the privacy of a lab to better understand diseases and to try and find new cures, the Hatam Sofer will agree that it is a great misvah of helping others for many generations to come, even if they learn from the autopsy one new detail... but truth must be said that even in the first case (of publicly

watched dissection) there are those who rule in favor. That is the opinion of Rabbi Ztvi Illowy (Yagdil Torah 1917, 8:16) who rules that even a Cohen, who is usually warned against touching a dead body, is allowed to perform an autopsy, since it is essential for the development of medical science. Just as the Torah allowed the High priest to touch a dead body if it was found lying on the road with no one to bury it, and just as the Cohen can take care of lepers and impure people to help and save the public, even more so here where the wellbeing of the public is at stake. Regarding a life threatening situation it was stated clearly that you must do whatever is within your power, as swiftly as possible. The reality of sick people who rely on medical advancement and development is considered to be an immediate threat to one's life in which case Rabbi Shmuel Landa (Noda Bi'Yhuda II, Yoreh De'ah, 210) agrees that autopsies are allowed... as to the prohibition of a Cohen to become impure it is only symbolic because we are all impure anyway and the genealogy of Cohanim is questionable. It is therefore a misvah to donate one's body to science and it is an eternal charity which will grant them great rewards in the world to come. This whole debate, however, which was conducted from the late 1700's to the late 1910's, is only regarding autopsies but in the case of a cornea donation they will all agree that it is allowed...
Mayyim Kedoshim, Yoreh De'ah 109