

Eretz Yisroel: 16 Transplants in 48 Hours



March 28, 2008



Medical community officials on Thursday night reported 16 organ transplants were performed nationwide in a 48-hour period.

The deaths of four Israelis permitted the transplants, including a heart, lungs, kidneys and corneas.

Tens of physicians, nurses and transplant teams were involved in the effort which compelled simultaneous actions at the Schneider Children's Hospital in Petach Tikvah, Beilinson Hospital in Petach Tikvah, Ichilov Hospital and Hadassah Hospital, to permit harvesting the organs in the limited time available.

The new **Brain Death Law** (<http://www.theyeshivaworld.com/article.php?p=15958>) permitted moving ahead with the transplants, Galei Tzahal (Army Radio) reported Friday morning.

The new law, which is endorsed by some lawmakers affiliated with the Dati Leumi (Modern Orthodox) camp has resulted in **widespread opposition** (<http://www.theyeshivaworld.com/article.php?p=16056>) among Gedolei Yisrael, including HaRav Yosef Sholom Elyashiv Shlita, Sephardic Chief Rabbi Shlomo Amar Shlita, HaRav Ovadia Yosef Shlita and others.

(Yechiel Spira - YWN Israel)

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18 Comments »

1. does this mean that Chacham Ovadia Shlit"a has changed his opinion????

Comment by appleguy — March 28, 2008 @ 8:08 am

2. DR. MENGELE IS ALIVE AND WELL IN ISRAEL!

Comment by deepthinker — March 28, 2008 @ 8:25 am

3. I thought ROY said it was OK. "MK Schneller said that his bill had the approval of leading rabbis, such as Chief Rabbi Shlomo Amar, former Chief Rabbi Ovadia Yosef, former Chief Rabbi Mordechai Eliyahu and others. " — <http://www.israelnationalnews.com/News/News.aspx/125675>

Can anyone confirm ROYs real opinion?

Comment by kollelguyinEY — March 28, 2008 @ 8:42 am

4. Does this mean that Chacham Ovadia Yosef Shlit"a has changed his position on this matter?

Comment by appleguy — March 28, 2008 @ 9:06 am

5. FYI - Dati Le'umi is not necessarily "modern orthodox", especially in Israel. Many Dati Le'umi are as frum or frummer than many in the Chareidi community, albeit with different Hashkofos with respect to Eretz Yisrael and the State of Israel.

an Israeli Yid

Comment by IsraeliYid — March 28, 2008 @ 9:19 am

6. Deepthinker,

If not for these transplants there would be 16 dead people (in addition the 4). Now there are 16 people alive who would be dead if you had your way. How dare you compare this to Mengele?

Comment by RebElimelech — March 28, 2008 @ 9:25 am

7. 1. Halacha also requires cessation of cardiac activity. Brain dead patients have independent cardiac activity
2. Anatomical decapitation is not the same as physiological decapitation - by analogy, an animal with a missing organ may be a treifa, whereas with a nonfunctional organ it is not.
3. Most of the great poskim oppose it. Rav Moshe himself is not clearly pro-. In fact he makes other statements indicating that removing organs is murder. (The pro-camp say he was taking about PVS not brain stem death)
Other major concerns of those 'against' include: -

4. How reliable are the tests to establish brain-stem death. See summary of current UK tests for

brain stem death on p.5.
 5. How trustworthy are the hospitals (in Israel or chu'l) to abide by the guidelines in the face of pressure to supply an organ
 from: http://www.rabbimanning.com/downloads/Organ_Donation.pdf

Comment by myopinion — March 28, 2008 @ 9:56 am

8. This is murder.

Comment by myopinion — March 28, 2008 @ 9:56 am

9. #2 you should be quite ashamed of yourself for making that comparison.

Comment by illini07 — March 28, 2008 @ 10:19 am

10. A couple of points, some of which have been raised already. "Dati Leumi" is not the equivalent of "Modern Orthodox" although many member of the Dati Leumi camp may also be members of the Modern Orthodox camp.

It is my understanding that Rabbi Shlomo Amar and HaRav Ovadia Yosef approved of the new law.

While I understand that those following Rav Elyashiv's psak will use all efforts to prevent harvesting organs under the criteria permitted by the new law, before we start demonizing the other view points it is important to note that there are prominent poskim from all sides that have adopted views that differ from Rav Elyashiv in this regard. While this is a gross oversimplification of the issue, I think they can be summarized into three camps: (1) those that hold that brain death on its own can be sufficient according to halacha (to be clear, those that adopt this opinion are referring to complete brain stem death - not other types of irreversible brain damage), (2) those that require irreversible cessation of spontaneous breathing and (3) those that require that the heart not be beating as well. Rav Elyashiv has adopted the third approach which is the most restrictive (I'm not sure if it based on a definitive psak or if his view is that the person is a safek chai until that time). This is not a chareidi vs. MO issue as there are prominent poskim on both sides that have adopted stringent and lenient views. On the MO side Rabbi J. David Bleich and to a lesser degree Rav Herschel Shachter have adopted stringent views. There is a dispute about Rav Moshe Feinstein's Z"L view, whether he sided with the first view or the second, but he certainly did not take the most stringent viewpoint which is Rav Elyashiv's shita. So in short, there is much heavyweight halachic support for each of the three viewpoints. While there presumably will be some who follow Rav Elyashiv's psak that will engage in a mechalmito shel torah to seek to avoid what, based on Rav Elyashiv's view, is murder, for the rest of us armchair bloggers it is inappropriate to refer to those not following Rav Elyashiv as murderers or to compare them to Mengele. Don't forget you are referring to a broad spectrum of people that include many prominent poskim, including Rav Moshe Feinstein Z"L.

Comment by Chareidi — March 28, 2008 @ 11:52 am

11. This is to Deep Thinker. Your name should be changed and you are an embarrassment to all Jews religious or not. I truly hope your family members and all the people around you are well but speaking from life experience this is wonderful and for this reason my wife and I might be able to travel to Israel without worrying that if something happened she wouldn't die. Please stop being a self hating Jew, grow up, and apologize to all the people you have offended with your short but stupid comment.

We have all lost members of our family to the holocaust but this is not the place to make a comparison.

There are many Rabbis within the states and in Israel who are on both sides of the coin but become educated before you open your mouth.

Comment by jspsbig — March 28, 2008 @ 12:20 pm

12. the state of israel is trying to rack up points against itself—so that it can self destruct and make way for mashiach. note the trend over the past few years lowering money to yeshivos and kollels and more recently trying to force yeshiva guys to go to the army—now this...

it's clear the government will be replaced with mashiach the question is how soon...if rishus continues, we can all rejoice when mashiach finally comes....

Comment by kollelman — March 28, 2008 @ 12:33 pm

13. #2 - If you were dying and needed a kidney transplant from a brain dead person who was being kept alive by a machine would you reject the offer? If you can't answer 'yes" to this question you have no right to judge others.

Comment by godolwannabe — March 28, 2008 @ 12:33 pm

14. whether one agrees with a particular Gadol or another Gadol (both of whom are world recognized Gedolim) to take the view of one gadol and use that to refer to the other gadol and his followers as nazis y'ems is beyond the pale. As far as I am concerned the poster of #2 should be ashamed of him/herself! the post should be edited (deleted) by the moderator.

I want to wish all my friends out there a wonderful Shabbos.

Comment by mdlevine — March 28, 2008 @ 1:17 pm

15. It may be instructive to understand the political background to this legislation. Until recently, Israelis traveled to China to obtain organs harvested from death row prisoners (it's likely that the crimes of these prisoners are orders or magnitude less than the crimes committed by America's death row inmates), because so few organs are available in Israel; this was paid for by Israeli national insurance. When the situation was publicized, R' Elyashiv spoke against this and the Israeli government stopped financing these transplants. As a result, there probably is increased pressure in Israel to find a new supply of organs.

Comment by anon for this — March 28, 2008 @ 2:17 pm

16. I saw yesterday a video clip on a pro organization from R' Reuvan (or R' Dovid not sure) quoting his father zt"l that he would only agree to a transplant if the sick patient is right here not to harvest.

By the way, can anyone verify R' Ovadia's opinion?

Comment by yachtzel — March 28, 2008 @ 3:41 pm

17. "harvesting the organs" SHAME ON YOU FOR USING SUCH A CHOICE OF LANGUAGE!!!

Comment by kol hoadam kozev — March 29, 2008 @ 10:54 pm

18. First off, for anyone to think that "Dati Leumi" means Modern Orthodox needs to do their research better.

Second, comments like deepthinker's are the same as the signs posted in Mea Sheraim that say to "Stop the murders"

I am sure that one of these ignorant people needed an organ, they would be contacting their posek and changing their view on this controversial issuer.

Thank goodness the psak is up to people who know Torah and not these fanatical, ridiculous people. It is people like this that causes such great chillul Hashem in our community. You should be ashamed of yourself. Truly, you are in idiotic thinker.

Comment by denafriedman — March 30, 2008 @ 12:43 am

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