

[Letters To The Editor](#)



[Featured News](#)

Written by 5TJT Readers

Thursday, 30 December 2010 12:40

A Dialogue Regarding Halachic Organ Donation

Dear Editor, the article about brain death and organ donation written by Dr. Leon Zacharowicz [“The Truth About Organ Transplants,” December 17] gives the wrong impression about a number of facts. Rabbi Mordechai Eliyahu accepted brain death as death and supported organ donation, as does Rav Zalman Nechemia Goldberg. Period. Full stop. Their responsa and articles quoting them can be found on the website of the Halachic Organ Donor Society (www.hods.org). There, one can also find a video of Rabbi Tzvi Flaum publicly saying that it is problematic for Jews who reject brain death to accept organs from a person who is brain dead. The hypocrisy of doing so is clear. Why Rabbi Flaum’s opinion was not even mentioned in the RCA paper that he himself is a signatory to is problematic and calls for an explanation. The yarchei kallah conference that Dr. Zacharowicz touts as a great learning opportunity might benefit from inviting speakers such as talmidei chachachamim Rabbi Dovid Feinstein, Rabbi Zalman Nechemiah Goldberg, and Dr. Rabbi Avraham Steinberg—all who disagree with Dr. Zacharowicz.

Robby Berman
Founder and Director

Halachic Organ Donor Society

Dear Mr. Berman, Rabbi Mordechai Eliyahu, zt’l, has explained that in 1986, when he approved brain death determination using electrophysiology and other methods (methods no longer employed by neurologists), he relied solely on the information provided to him by two physicians—information that has since been shown to be incorrect.

Rabbi Zalman Nechemiah Goldberg, with whom I spoke this past summer, has not approved Berman’s mistaken representation of his nuanced view. I speak to him frequently, as he has in fact presented a shiur virtually every summer at our Jerusalem yarchei kallah. Dr. Avraham Steinberg, too, has spoken at our Jerusalem yarchei kallah. Rabbi Dovid Feinstein has been invited as well to give a shiur at our New York yarchei kallah.

As to Rabbi Moshe Sternbuch’s position, in his Teshuvot v’Hanhagot (Volume 5, Chapter 399, page 589), he states: “Recently, the government here in Eretz Yisrael has passed a law that a person is considered dead when the activity of the brain stem has ceased and it is permitted to remove organs from him. This contradicts the opinion of all the great halachic authorities who have agreed that since the heart is still

alive at the time of [removal for] transplant, the person is therefore considered alive and he who removes organs from him is considered as killing his soul.”

The halachic definition of death is a complex issue and not one with regard to which laymen should be “picking favorite” approaches, advocating one position or another, or publicly questioning the integrity and wisdom of our rabbinic leaders. Every observant Jew should consult in such matters with his or her rabbinic authority.

Leon Zacharowicz, MD, MA