

## Chief Rabbinate Ruling on Organ Donations



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Following a meeting of the Chief Rabbinate of Israel Rabbinical Council on Tuesday, a decision was reached facilitating organ transplants, including cases in which definitive death has not been determined.

Ynet stated the rabbonim explain that now, they are not seeking to release statements to the frum and chareidi populations, but to reach the critical decisions that need to be made in adherence to halacha and determining death with the boundaries of torah law.

The newly-adopted position of the Chief Rabbinate, donor officials' feel will increase organ available for transplants. Nevertheless, posek hador HaGaon HaRav Yosef Sholom Elyashiv Shlita has not changed his position. Rav Elyashiv maintains death cannot be determined for as long as one's heart continues to beat.

The rabbonim also discussed the rights of patients and families, to permit them to determine their moment of death in acceptance of their religious position, brain or cardiac death. This may not move forward according to some, explaining Sephardic Chief Rabbi HaGaon HaRav Shlomo Moshe Amar Shlita fears moving forward may place him in a vulnerable position, exposed to attack from the Ashkenazi chareidi community.

Aides to Rav Amar explain the rav has yet to establish his position and therefore, at present, he is not releasing a statement. Rav Amar congratulates the rabbonim on their decision vis-à-vis brain death, which he feels will also advance organ availability for transplant. Regarding the other matter, option brain or heart determination of death, Rav Amar is apparently consulting with other gedolim and his position will be announced in its appropriate time.

(*Yechiel Spira - YWN Israel*)

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1. This is a perfect example of the Halachik system at work. Great rabbis, experts int he field, making learned fact centered decisions based upon the law. Most importantly, they are moving slowly, building consensus and preparing to present their view point in the free marketplace of ideas. No one is foisting an agenda on anyone, or forcing one shita on the rest of the world. It will now be for R. Elyashiv to respond to this presentation in a similar fashion, i.e. with a teshuva of his own addressing the issues. And so it will go until a resolution of the question is reached.

*Comment by cantoresq — September 23, 2009 @ 9:42 am*

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