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Jews urged to become organ donors

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TORONTO — It's a mitzvah to donate an organ to save a life, says a leading American authority on Jewish medical ethics and Halachah.

According to Rabbi Moshe David Tendler, the mitzvah of saving a life supercedes all other commandments, except those against idolatry, murder and adultery.

Rabbi Tendler, a senior rosh yeshiva at Yeshiva University and a professor in biology – he has a PhD in microbiology – spoke about organ and tissue donation and Halachah May 17 at Sunnybrook Health Sciences Centre. His lecture, which drew more than 200 people, was sponsored by the Trillium Gift of Life Network, which facilitates organ donations in Ontario.

Rabbi Reuven Bulka, spiritual leader of Congregation Machzikei Hadas in Ottawa and chair of Trillium's board, led the discussion.

Rabbi Tendler is the son-in-law of the late Rabbi Moshe Feinstein, a world-renowned halachic authority who was a strong advocate for organ donation. Much of Rabbi Tendler's lecture was based on the responsa of his late father-in-law, who recognized brain death, or "physiological decapitation," as the halachic interpretation of death.

Rabbi Tendler described "physiological decapitation" as "the complete and irreversible cessation of the functioning of the entire brain." If the brain is no longer involved in the functioning of vital organs, a person can be considered brain dead. He said the fact the heart can continue to beat with the aid of life support technology doesn't mean a person is alive.

This view is halachically contentious, because some rabbis consider a person to be alive if there is any type of body movement, including a heartbeat.

Rabbi Tendler made a distinction between brain death and cerebral death. In brain death, "there is irreversible cessation of all functioning of the brain, including the brain stem... Never in the history of brain stem death has someone improved or recovered."

With cerebral death, a person may be in a pervasive vegetative state or a permanent persistent coma, but he or she can physiologically function without life support. In such a case, Jewish law forbids organ donation, because the person has a functioning brain stem.

The rabbi said there are strict medical guidelines and a comprehensive protocol for the diagnosis of brain death.

He discussed some common objections to organ donation, such as desecration of the dead and concerns about timely burial. "If desecration of the dead occurs to save a life, it is permitted. If eight people can live, you are honouring the dead."

He also said that while Halachah mandates a quick burial, it's acceptable to delay a funeral for organ donation. "We often delay for lesser reasons than saving a human life. We wait for family members."

Rabbi Tendler's lecture was part of Trillium's outreach to faith communities to understand how organ donation fits with their respective beliefs, said Dr. Frank Markel, Trillium's president and CEO.

Markel urged prospective donors to register with Trillium, because the number of donors doesn't meet demand.

Some 1,500 people are on waiting lists, he said. "In Ontario, one person dies every three days waiting for a transplant. We lose more than 100 people a year."

For details about the donor registry, visit Trillium's website at www.giftoflife.on.ca.

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