

| Published 05:12 12.09.11 | Latest update 05:12 12.09.11

## New organ-donor card for religious community draws expert opposition

**Benefit from new card offset by loss of signatures to existing Adi card, body says.**

By Yaacov Lavie

A group of rabbis recently initiated the distribution of a new card for organ donors known as "Bilvavi" ("In my heart"). In addition, they also set up a body known as "Arevim" ["Guarantors"] that is supposed to be something of a kashrut supervisory body that checks the process of determining the death of a potential donor and giving rabbinical approval for donating his organs.

Recently, one of the supporters of this group, Rabbi Yitzhak Shilat, falsely accused the medical community that deals with organ transplants in Israel - and opposed the initiative of the Bilvavi card - of being guilty of haughtiness and playing games of prestige. I corresponded of late with Rabbi Shilat in the framework of my participation in talks with the initiators of the new card, as a representative of the National Center for Transplants. In the wake of Shilat's attack on the medical community, among whose members I am proud to be counted, I was left with no choice other than to reveal even a small part of this correspondence.

The initiative to produce the Bilvavi card, which is intended for the religious public, and the establishment of the association of rabbinical "guarantors", raised three major problems.

The first is related to the text chosen by the initiators of the new card. On the Adi card [the existing donor card], there is the correct quotation from the Sanhedrin tractate of the Mishna Torah of the Rambam [Maimonides]: "He who saves one life, saves the entire world".

The initiators of the Bilvavi card, however, deliberately chose another quotation from the same passage by the Rambam that includes the words, "from Israel", and attributed it to that same Sanhedrin tractate.

I have no doubt that the choice of this version of the passage bears witness to intentions of separatism on the part of those who chose it, a separatism that is in contradiction to the humanitarian idea behind the quotation in the original, and at the basis of donating organs - that of saving a life of any human being.

When I drew the attention of Shilat to that quotation, he admitted that in his opinion, "those who phrased the Bilvavi card made a mistake when they wrote 'one life from Israel' because it could be misleading and give the impression that the donation was intended for Jews only, and that is not so. There is no such intention."

### Granting priority to donors

The second problem concerns the initiators' demand that people who sign up as donors be given priority when waiting for a transplant, like the right given by the new transplant law to people who have signed the Adi card.

Shilat distorts reality when he states that the claim about the existence of this explicit demand is "just some idle chatter" or "a blood libel." The initiators of Bilvavi recently published a book that accompanies the initiative. On page 121 of this book, the following sentence appears: "The text of the new donor card was checked by legal experts from the Attorney General's Office and the Health Ministry and it was found to meet the demands of the law governing transplants, from 2008, and it gives the person signing up for it, additional points to receive organs for transplanting, according to the conditions of the law."

From personal knowledge and from an inquiry I carried out, not only did the initiators of the card not receive legal approval for this statement, but the legal bureau of the Health Ministry is vehemently opposed to the Bilvavi card. Therefore, these remarks could mislead the members of public who plan to sign up for the card.

When I drew the rabbi's attention to this, he responded that "the Arevim people with whom I spoke are prepared to forgo this right and to begin the planned public campaign only for the lofty aim, and without any rights."

That is to say, we are not talking about "just some idle chatter" but rather about forgoing the demand that was in fact raised.

But these two problems are dwarfed by the third problem - the demand for the establishment of a rabbinical supervisory body that will examine and approve that death was established according to the halakha, Jewish law. The vehement opposition to this body is not a question of prestige in the medical community, as Shilat claims, but rather a feeling of frustration and dissatisfaction over the lack of confidence that is concealed therein.

Shilat is trying to draw an analogy between the role of a kashrut supervisor in a kitchen and that of the members of the Arevim association. Unlike the kashrut supervisors in the kitchens, who are personally involved in the work of the cooks and examine their acts from up close and on a personal basis, the medical community will never agree to let a person who is not a doctor enter into the process of deciding on an actual brain and respiratory death, since this is a purely medical act.

### Rabbinical supervision

The law governing brain and respiratory death that was passed in 2008 with the consent of rabbis and doctors is based on a compromise: The medical committees for establishing brain death will be authorized to work only after receiving training that will include halakhic aspects connected with the subject and there will be rabbinical supervision, after the fact, of their actions.

This regulation has been applied diligently by the medical community for the past year or so. But even though two of the members of the central supervision committee that was appointed according to the law for this matter are respected doctors as well as rabbis, and were recommended by the Chief Rabbinate, these doctors have so far not carried out any supervision of the process of establishing brain

death in the local committees, for reasons known only to them.

Before raising new demands for additional rabbinical supervision with the system, through the Arevim association, it would have been appropriate first to operate the supervisory body that was set up in accordance with the law.

Contrary to the position of the initiators of the Bilvavi card who do not find anything wrong with the pluralism of the donor card, I see in this approach a great danger of harming the readiness of the public that is not religious to continue to sign up for the Adi card.

It suffices to review the responses to the articles that reported the initiative about the Bilvavi card in order to be aware of the rise of a huge wave of announcements about cancelling signatures to the Adi card if the sectoral donor card is put to use.

The feeling in the National Center for Transplants is that the numerical benefit that could be gained from introducing the Bilvavi card would be completely lost when compared to the damage that would be caused as a result of cancellation of signatures on, or lack of signatories to, the Adi card.

The initiators of the new card motivated no doubt are by a genuine desire to substantially raise the number of patients whose lives can be saved by an organ donation. The differences of opinion between us revolve round the means of achieving the goal. Instead of pointing an accusatory figure at the doctors, it would be good for the initiators instead to call for signatures to the Adi card; they could tell the potential signatories that if they are interested, they can consult with a represent of Arevim, or with any other religious figure.

The writer, a professor, heads the Coronary Transplant Unit at Sheba Medical Center, Tel Hashomer, and also serves on the steering committee of the National Center for Transplants.

This story is by: Yaacov Lavie