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Organ donations in Israel on upswing but still debated

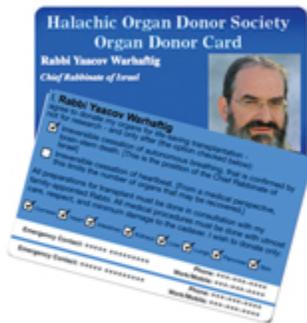
Thursday, July 26, 2012 | by sue barnett

Israel until recently held the unfortunate distinction of having one of the lowest rates of organ donation among developed nations — 31 per million people, compared with the United States, one of the highest at 90 per million people.

Things began to shift in 2009 after passage of a groundbreaking Israeli law, which gives people who have signed up to be donors priority should they ever need an organ, and addresses concerns about the definition of death, among other issues. A major public relations campaign initiated in Israel after the law's passage promoted organ donation and dispelled the notion that Judaism forbids it.

Since then, the number of Israelis who have signed organ-donor cards has increased dramatically, according to the Israeli daily Haaretz, with 70,000 signing up during the 10-week campaign alone.

"The law has had a dramatic effect," said Dr. Gabriel Danovitch, medical director of the kidney and pancreas transplant program at UCLA and an expert on international transplant issues. "It was a significant improvement, and it is serving as an example to other countries. The culture in Israel is turning around and things are getting better."



The Halachic Organ Donor Society's cards offer several choices.

The reason for Israel's lag in organ donation can be attributed in part to the religious debate, which sees a conflict between the obligation to save human life (pikuah nefesh) and the prohibition against desecrating a body (nivul hamet) — a holy act vs. a violation of Jewish law. This debate has given rise to controversy not just in Israel, but in Great Britain, the United States and elsewhere.

Few take issue with the idea of donating tissue or organs (kidneys being the most common) by living donors, and most Jewish denominations consider the act a moral imperative and a great mitzvah.

A sticking point in postmortem donation, at least among those who debate halacha, or Jewish law, is at what point the organs may be harvested — namely, what is the moment of death?

The medical definition, accepted by many Orthodox Jews and the Chief Rabbinate of Israel, is the cessation of brain-stem activity. But some ultra-religious haredim maintain that as long as the heart is beating — even by artificial means — the person is alive.

"To remove organs from a brain-dead patient while the heart is still beating is tantamount to murder," Rabbi Aron Moss wrote on chabad.org.

While that is a minority opinion, the issue plants enough doubt, even among secular Jews, to discourage some from agreeing to donate their organs after death.

"The reluctance is not just a religious thing," said Danovitch, who has lived and worked in Israel. "People get anxious about the diagnosis of death, differentiating among brain death, coma, etc. These things aren't always intuitive."

The Halachic Organ Donor Society, which works in partnership with Israel's National Transplant Center, over the past decade has successfully registered hundreds of Orthodox rabbis, female leaders and physicians as organ donors. It offers two main choices on the registration card: an agreement to donate at cessation of breathing, or at cessation of heartbeat.

"The assumption that a man is master of his own life is problematic," Ratzon Arusi, an Orthodox municipal rabbi in Kiryat Ono, wrote in the annual halachic review *Tchumin*, "because in fact it is a gift from the creator and he is the one who decides how and when life ends." Arusi has proposed setting up rabbinical courts in hospitals that would help to establish the moment of death.

In Great Britain, Chief Rabbi Jonathan Sacks and his rabbinical court caused an uproar last year when they issued guidelines that appeared to discourage organ donation. Sacks argued that the standard-issue donor cards were not acceptable because they did not meet the needs of religious families.

"We may not take a vital organ from a patient still alive," Sacks wrote in the *Guardian*. "Cardiorespiratory death is definitive."

He added, however, that organs from living donors and those taken once the heart stops are a "mitzvah of the highest kind, saving a life."

In the U.S., the Conservative, Reform and Reconstructionist movements all have endorsed and promoted organ donation. The Orthodox Rabbinical Council of America has approved it as "not only allowed, but a mitzvah," though it has not taken a firm position on the definition of death.

For information, contact Israel's National Transplant Center (Adi) at www.itc.gov.il/eng/halaha.html or the Halachic Organ Donor Society at www.hods.org/English.

Longtime j. editor Marc Klein receives "the gift of life" — a kidney donated by a loyal reader