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Protect organ donation

By JPOST EDITORIAL
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The traits that made Cohen so admired led him to want to donate his organs after death, but rabbis blocked him from doing so.

Israeli soccer icon Avi Cohen was laid to rest Wednesday after failing to recover from a severe head injury suffered in a motorcycle accident on December 20. As The Jerusalem Post's sports reporter Allon Sinai pointed out, when Cohen was handpicked by top English club Liverpool's manager Bob Paisley in 1979, Liverpool's soccer was "on a different planet" to Israel's.

Yet despite Cohen's meteoric rise to such elevated surroundings, he always remained modest, down-to-earth and accessible. Testimony to his noble character, and to the esteem in which he was held, was the large turnout of fans and friends to pay their final respects to Cohen, whose coffin was presented at Ramat Gan's National Stadium before burial.

Sadly, the tragedy of Cohen's death was compounded by a group of meddling rabbis. A day before he passed away, Cohen was pronounced brain dead by a medical team at Ichilov Hospital in Tel Aviv. Cohen had signed an ADI organ donation card. Out of respect for and empathy with Cohen's wishes, his grieving family began authorizing the removal of organs to save other lives.

Sephardi Chief Rabbi Shlomo Amar personally called the Cohen family to assure them that organ donation was a mitzva.

Already in 1986, the Chief Rabbinate had ruled that in certain cases, brain death constituted clinical death according to Halacha. Irreversible cessation of spontaneous respiration as a result of brain damage caused by a severe blow to the head permitted heart donation, according to that ruling, which was endorsed by leading halachic authorities. In the early 1990s, the Rabbinical Council of America also developed a health care proxy that determined that brain-stem death constituted halachic death.

But in the last two decades, Orthodoxy has been increasingly hijacked by religious fundamentalism. A growing number of rabbis seem bent on adhering to the strictest interpretations of ancient talmudic dictates, even if doing so leads to an untenable moral position. Protecting the "life" of a Jew with irreversible brain-stem damage has become more important for these irresponsible figures than saving the life of another human being, Jew or non-Jew. For these rabbis, removing organs before the heart stops, even if the brain-stem is dead, is tantamount to murder. Refraining from helping a terminally ill patient whose life can be saved by an organ donation is not.

This fanaticism has swept America as well. In November, a special committee of the RCA backed away from its previous stance. While it did not adopt a clear position on the issue, the 1986 chief rabbinate's decision was harshly criticized.

Particularly galling has been the sense that halachic authorities, in America and in Israel, are permitting Jews to receive organs, but not to donate them.

MEDDLING rabbis holding to these morally despicable positions contacted the Cohen family last week and managed to persuade them not to listen to Amar. Distraught over the tragedy, the Cohens were undoubtedly easy prey for pushy rabbis armed with the overflowing self-confidence of fundamentalists certain they know

God's will. It was murder to remove organs from Cohen before his heart stopped beating, they argued, perhaps even hinting that the family would suffer heavenly punishment. Clinging to the hope that the former soccer star, whose physical vitality had been so central to his very being, might yet return to life, Cohen's family heeded the calls of these rabbis, disregarding Cohen's own wishes as expressed by his signing a donor card.

We will never know what good his organs could have done. We do know that the ease with which his firm desire to do that good was disregarded is untenable. In the case of Avi Cohen, and all others who have made a carefully considered decision to donate their organs should the circumstance arise, this disregard risks the lives of others and thus becomes a threat to society.

We recommend that legislative steps be taken to ensure the ADI card carries the weight of a will. In light of the split within Orthodox Jewry – between spiritual leaders such as the chief Sephardi rabbi, who hold a morally upright position on organ donation, and others who have lost touch with Judaism's guiding morality – we recommend that every potential organ donor clearly indicate which of the two approaches suits his or her religious sensibilities.

The traits that made Cohen so admired in his lifetime led him to want to donate his organs after death. Unfortunately, a group of meddling rabbis blinded by fanaticism succeeded in preventing him from doing what he was convinced was the right thing. This betrayal must not be allowed to happen again.

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