



Rabbis battle over organ transplants

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After Orthodox British student Yoni Jesner was murdered in a terrorist attack in Jerusalem in 2002, his family gave permission for doctors to use his organs for transplant. The decision was particularly poignant because the recipients included a young Palestinian girl.

But last week's dispute over the body of Avi Cohen has highlighted that organ donation still remains a contentious issue among Orthodox rabbis.

In classical Jewish law, a person is dead if their heart stops beating. But as medical science advanced, some rabbis began to adopt "brain-stem" death as an acceptable definition - even if the heart continued beating through artificial ventilation. Organs recovered under these conditions, when the blood is still flowing, are better for transplant use.

Although Israel's Chief Rabbinate approved the validity of brain-stem death, influential Charedi rabbis remained opposed to it. Last year the central Orthodox Rabbinical Council of America issued a lengthy report widely seen as retreating from its previous acceptance of brain-stem death. Rabbi Moshe Tendler of Yeshiva University was furious, saying the RCA paper defamed Judaism.

"Their conclusion is that a Jew who is in need of a heart transplant can receive a heart from a brain-dead patient but he can't donate his heart if he is brain dead," he said.

Also highly critical was Robby Berman, director of the Halachic Organ Donor Society, which campaigns for Jews to support organ donation. "Medically ignorant rabbis in Israel... mislead people into thinking there is a chance for brain dead people to wake up," he said this week.

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