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Israel - Some Rabbis Working to Get Halachic Approval for Organ Donation

Published on: August 23rd, 2009 at 08:39 AM

News Source: [Ynet](#)

Last updated on:

Israel - The Chief Rabbinate is currently in the midst of resolving the last halachic quandaries surrounding organ donation.

The debate was sparked following the approval of the Organ Donation Law in 2008: The law specifies brain death criteria, as well as the exact medical methods and instruments which must be used to determine brain and respiratory death; but many in the religious community still feel it fails to answer pivotal halachic questions.

In order to encourage organ donation among the religious public, the rabbinate decided to introduce a new organ donor card – different from the National Transplant and Organ Donations Center (ADI) card – which will stipulate that the potential donor's organs can be harvested only if and after brain death is determined according to the strictest letter of the law.

Chief Rabbi of Israel Yona Metzger also wants the Chief Rabbinate's Council to issue an official decree giving the law a halachic seal of approval.

The rabbinate will hold a special seminar on organ donation, meant to allow the 40 rabbis attending it to eventually be able to see families through the process.

The rabbis will be trained to offer the families answers to any medical or halachic questions they may have.

"The council approved organ donation 20 years ago, providing that the state of brain death was determined not only by a physician, but by electronic equipment as well, but the medical community never agreed to that stipulation," a source in the Chief Rabbinate told Yedioth Ahronoth.

"The new legal criteria seemingly took care of that and now the rabbinate is in the process of giving it a halachic seal of approval."

While the majority of rabbis in the religious- Zionist, haredi and Sephardic communities – including Chief Sephardic Rabbi Shlomo Amar – agree that brain death is an indication of death-proper, some in the haredi community, especially followers of Rabbi Yosef Shalom Elyashiv, still oppose the correlation, claiming cardiac death should be the only criteria used.

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