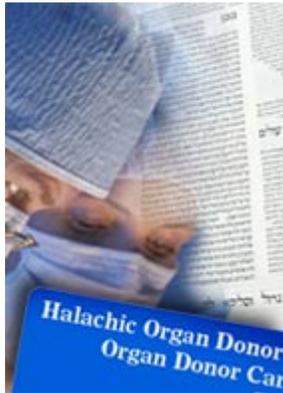


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The Heart or the Head?

In recent decades, "brain death," the cessation of all neurological activity, has increasingly supplanted cardiac-respiratory failure as the most widely accepted medical criterion of death. This definitional shift has helped mitigate the often ruinous toll on families of caring for patients whose hearts can be artificially kept beating in the absence of even the simplest brain function. It has also saved lives, by facilitating the process of preserving and donating organs for transplantation.

Fundamental to Judaism is the idea that human beings are created in the divine image. This affirmation of human dignity finds practical expression in the thoroughgoing prohibition on murder and in the traditional principles of *pikuah nefesh*, doing whatever it takes to save a life, and *k'vod ha-met*, respect for the integrity of the deceased. But when does death occur, and what happens when these values seem to conflict?

Brain-waves were unknown to the ancients. For the Talmud, one criterion of death is decapitation; other, more common signals are the cessation of breathing and movement, i.e., cardiac-respiratory failure. Moshe Sofer, the leading halakhic authority of the early 19th century, summed up the traditional criteria: "when a person lies still as a stone, with no discernible pulse, and then his respiration ceases, he is certainly dead."

Today's Jewish ethicists strive to honor these precedents as they work to balance medical advances with the inalienable value of individual life. The Reform and Conservative movements accept the criterion of brain death while hedging it with cautions and qualifications. Orthodox authorities are divided: to Moshe Feinstein, irreversible brain failure, including the inability to breathe on one's own, is a proper criterion of death; to Shlomo Zalman Auerbach, present-day

medical technology cannot yet determine irreversible brain failure with the certainty demanded by halakhah.

What makes humans, in the Psalmist's phrase, little less than divine? The beating of our hearts? The minds resting on our shoulders? For those treating the dead and the dying, those caring for them, and those struggling with the bioethical issues involved, such questions are hardly idle.

[What and When is Death](#) [Alan Rubenstein](#), *New Atlantis*. When neither consciousness nor the drive to breathe is present, a body can rightly be called a corpse. [SAVE](#)

[The Brain-Death Controversy](#) [Yitzchok A. Breitowitz](#), *Jewish Law*. The issues surrounding brain death have a long history in Jewish legal thinking. [SAVE](#)

[Hastening Death](#) *Central Conference of American Rabbis*. Reform rabbis draw the line at a medical protocol that, for the sake of harvesting organs, would declare death two minutes after cardiac arrest alone. [SAVE](#)

[Declaring Death](#) [Daniel S. Nevins](#), *Rabbinical Assembly*. To the Conservative rabbinate, brain death must be accompanied by the complete and permanent cessation of respiration. [SAVE](#)

[Brain Death and Organ Donation](#) [Robby Berman](#), *Jewish Ideas*. The founder of the [Halakhic Organ Donor Society](#) reviews Orthodox positions. [SAVE](#)