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Lending a Hand, Literally and Jewishly The HODS and Orthodox Organ Donation

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My memories of the charity [zedaka] plate circulating the circumference of the synagogue of my youth—carried by cute little boys with side-curls who smiled at those who added a dollar or more—feature many people giving readily and generously. The congregation perceived a dire need to contribute to the needy, but many would have been startled if asked to donate bodily organs rather than time and money. The Halachic Organ Donor Society (HODS) aims to educate the public about the halachic implications of organ donation, and though it is picking up speed, there is much room for further support – specifically from Jewish students.

I sat down with Erica Markowitz at Starbucks on 181st Street in Washington Heights, Manhattan (please forgive me, all independent coffee-house loyalists). Erica studied philosophy at Queens College, dabbled in journalism and public relations for a while, and though she is not currently a student, always seems to be working on something interesting and supporting a good cause. She is working with Robert Berman, founder and director of HODS, and over coffee, she shared some of the reasons why.

To readers who are not familiar with halachic texts and terminology, an explanation of what exactly is at stake for HODS is in order. Very generally, halacha—Jewish law, deriving from the Talmud and later rabbinic scholarship—features a principle called “pikuach nefesh,” or self preservation, that supercedes all prohibitions, save the exceptionally severe like idolatry, illicit relationships and murder. It would follow then, that organ donation, though it seems to violate a principle called “nivul ha-met”—literally, desecrating (physically) the dead body—ought to “win out” over the prohibition, since it involves preserving lives.

The plot thickens, though, when we ask ourselves what halachically constitutes death. There are two halachic arguments for when a person is considered dead: “The central Halachic question is whether or not Jewish law considers a brain-stem dead person, whose heart continues to beat only as result of the artificial help of a respirator, dead or alive. If Halacha considers this person to be ‘alive’ then removal of organs would be forbidden because you would be ‘killing’ the donor,” according to the HODS website, though it stresses that “This website is not meant to give a Halachic ruling on organ donation, but rather to inform the public as to some of the different medical issues and some of the general trends of rabbinic rulings involved with organ donation.” If halacha considers a person dead once they are brain-stem dead, removal of organs would be a different story.

HODS does not weigh in either way on this question, Erica informs me. She shows me her HODS card, with an option to check a box that demonstrates the member’s desire to donate organs after brain-stem death or after the last heartbeat, depending on the participant’s own halachic ideology. The cards, like most other organ donor cards, dictate no legal implications at all, and they neither bind the family members nor the doctor to donate the patient’s organs. The card simply shows the patient’s own personal preference.

The HODS website boasts an impressive list of rabbinic authorities as members: Dr. Rabbi Norman Lamm, Chancellor of Yeshiva University; Rabbi Shlomo Riskin, Chief Rabbi of Efrat, Israel; and Rabbi Haskel Lookstein of Congregation Kehilat Jeshurun, amongst many others. Somehow, though, it seems to me that despite the excellent rabbinic underpinning, most people know as much about the issues involved in Orthodoxy and organ donation as they do about hundred ton pink elephants.

HODS' web site, <http://www.hods.org/>, features much invaluable information on the issues this article touched upon, and it also features press coverage, statistics, articles and much more supplementary information. HODS plans to march—as it did last year—in the Salute to Israel Parade in Manhattan on June 5th, and it is looking for students to march in the parade, as well as to help increase awareness of these issues across the national, Jewish collegiate community.

Menachem Wecker is a WebWire editor who resides in Washington Heights at Yeshiva University. He writes about Jewish arts for several publications and other assorted issues that now include organ donation. For more information about HODS and to volunteer or march, contact Erica Markowitz at ELMarkowitz@aol.com.

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