

HALACHIC CORNER

Halachic Support for Heart Transplants

More and more rabbinic leaders in Israel are taking a stand on organ donation. Recently, the Sephardic Chief Rabbi of Israel; Rabbi Shlomo Amar, publicly announced that he accepts brain-stem death



as halachic death and supports organ donation, including heart transplants.

While Rav Amar's demonstration of leadership on a life-saving issue is commendable, he is not the first Chief Rabbi of Israel to endorse organ donation and accept brain-stem death, otherwise known as neurological death, as halachic death. Former Chief Rabbis Ovadiah Yosef, Mordechai Eliyahu, and Avraham Shapiro, all accept brain-stem death as halachic death and support organ donation. Rabbis Eliyahu and Shapiro were the Chief Rabbis in 1986 when the Halachic Committee of the Chief Rabbinate's office investigated the medical reality of brain-stem death; the committee publicized their halachic analysis which concluded that once the brain

is dead, the person is dead even though heart may continue beating for another few days with the help of a ventilator. Brain-stem death is always followed by cessation of heartbeat. The question is not if the heart will stop, but when. "But not all rabbis accept brain-stem death as halachic death, such as Rav Elyashiv," says Robby Berman, founder and director of the Halachic Organ Donor (HOD) Society. As a result, the organ donor card of the HOD Society offers a unique organ donor card that allows its holder to

define death as he or she sees fit, either brain-stem death or cessation of heart beat.

However, all rabbis do agree that once a person is dead, however one defines that, the mitzvah of *pikuach nefesh* (saving a life) overrides other commandments, such as the prohibitions to destroy, benefit from, or delay burial of, a cadaver. Since it's possible to donate organs both at brain-stem death and even some organs after the heart has stopped beating, everyone should be encouraged to donate organs. One may register for an organ donor card from the HOD Society on-line at www.hods.org. The HOD Society has more than 200 rabbis that carry its organ donor card.