

Organ recital ended by abrupt silence



Geoffrey Alderman

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THE STORY OF the invitation extended to and then withdrawn from Robert Berman to address the Immanuel College parent-staff association is significant at two levels. Mr Berman is the founder of the Halachic Organ Donor Society, based in New York. He had been invited to speak at Immanuel College by the PSA chairperson, Yaffit Gordon. Then Mrs Gordon spoke — or perhaps was spoken to — by the college’s “rabbinical adviser.” Then the invitation was withdrawn.

There have of late been far too many instances of Jewish organisations issuing and then withdrawing invitations following rabbinical interventions. The action of the Immanuel PSA was small-minded in the extreme. I hope Mrs Gordon and her fellow PSA members realise how rudely they’ve behaved towards Mr Berman, and that they have issued, or will shortly issue, a full apology.

The rudeness of the Immanuel PSA is all the more regrettable because the subject of organ transplantation is part of a wider national debate in which British Jewry needs to play the fullest possible part.

Organ transplantation ranks as one of the most breathtaking advances made by medical science. The procedure benefits both recipient and donor. The donor, if alive, can reflect on the promise of life which she or he has given. Organ donation may even comfort relatives if the donor is dead, in that they know that the death of a loved one has done some good.

However, other advances in medical science mean that people who would formerly have died — say in road accidents — can now be saved. It is a gruesome fact that the supply of healthy organs — especially kidneys — is now much diminished as a result.

Organ transplantation involves complicated halachic questions. It was therefore with great pleasure that I read that Rabbi Yaakov Weiner, dean of the Jerusalem Centre for Research, Medicine and Halachah, had endorsed the concept of ovarian donation at the centre’s first European conference, held earlier this year at the Hendon United Synagogue. It was with even greater pleasure that I read of his support for the donation of blood, skin, and kidneys — acts which (he said) might, under certain circumstances, “be viewed as an halachic obligation.”

In the matter of kidney transplant, I have a personal interest. In 1989, against the background of an ill-informed frenzy, Mrs Thatcher rushed through legislation to prohibit anyone from taking part in the transplantation of kidneys from paid living donors. This followed publicity surrounding the then legal activities of an internationally renowned kidney specialist, Dr Raymond Crockett,

who was subsequently struck off by the General Medical Council even though he had contravened nothing in the GMC’s so-called “Blue Book” of ethics. His “crime” was to have saved three lives by facilitating the sale to these patients of three kidneys from three willing donors.

I was an expert witness at the “trial” of Dr Crockett before the GMC’s professional conduct committee. It was clear to me at the outset that this was a political trial. Mrs Thatcher had declared that she found the buying and selling of kidneys “utterly repugnant.” Coming from such a champion of the free market, this struck me as disingenuous. I therefore willingly spoke in Dr Crockett’s defence. I did so, of course, as a practising, Orthodox Jew.

It was alleged by the prosecution that Dr Crockett had caused advertisements to be placed offering to purchase kidneys from live donors.

This was neither illegal nor immoral. The donation of one kidney from a healthy individual has no effect on the life expectancy of the donor. Even today, it is possible for you or me to donate a kidney to save the life of a near relative. What is at issue here is simply the payment of money.

The thought that there are people so poor that they are willing to sell a kidney has apparently appalled some Euro-MPs, who now threaten to deal with this alleged exploitation by legislating to imprison even those sick people who attempt to prolong their own lives by offering to buy healthy kidneys from those willing to sell them. The sick are thus to be criminalised for trying to heal themselves.

The saving of life is a mitzvah of the highest order. If I wish to sell one of my kidneys, and someone who is suffering from kidney failure wishes to buy it, what right does the state have to forbid (rather than simply regulate) such a transaction?

We shall certainly not alleviate poverty by prohibiting the poor from selling something that belongs to them — which we have no moral right to do anyway.

The poor have always been exploited. They are exploited by loan sharks. But we deal with this by the regulation of money-lending, not by criminalising it.

Actually, of course, no monetary value can be placed on a kidney. Kidney donation is an altruistic act no matter how much or how little money changes hands.

Why should everyone involved in the transplant industry — the surgeons, the anaesthetists, the nursing staff, the hospitals — benefit financially from renal transplants but not the persons who consent to donate their kidneys in the first place?