

Letters To The Editor

Hiding important facts in name of halachah

I FIND IT odd, and jejune, having already given a presentation to the teenage student body of Immanuel College, that it is their adult parents who are being “shielded” from my thoughts about organ-donation (JC, May 7; Letters, May 14).

I will leave it to those who are being censored — London Orthodox Jews — to protest, or not, against their censorship.

As for organ-donation, more than 100 Israelis and 5,000 Americans die needlessly every year due to the dearth of organ donors. More than 5,000 British citizens are currently waiting for organs. It is no secret that we Jews don't donate organs, but we readily take them. Is this just? Is this ethical? Is this halachic? Is this sustainable?

I ask the Jews of London to write to the Beth Din, the Chief Rabbi and their local rabbi asking them to clarify their position on organ-donation.

The brain-stem death (BSD) controversy will never achieve consensus in the Orthodox community. Unfortunately, its institutions and rabbis feel they can't touch this issue unless there is a unified opinion, and therefore would rather ignore it and, in this case, even prevent discussion of organ-donation. But rarely is there unanimity on halachic issues, and one can donate life-saving organs even after cessation of heartbeat.

That is why the Halachic Organ Donor (HOD) Society was created, offering a unique organ-donor card that sidesteps the BSD controversy. The HOD Society has the support of over 50 prominent Orthodox rabbis in America and Israel. I have lect-

ured about this topic over the length and breadth of Israel, England, Canada and the United States. Free information, thoughts, and halachic opinions (even those that oppose organ-donation) may be found at www.hods.org.

It looks like this may be the only way the Jews of London can become more educated about this important topic.

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JONATHAN BERNSTEIN (Letters, May 14) asks, regarding the discussion on the use of organ donations and Jewish law, for “clear, unambiguous rabbinic guidance.” He makes the very common assumption, reinforced by some rabbinic authorities, that there can be one, clear, unambiguous, halachic position; there cannot.

Halachah, according to the Encyclopaedia Judaica, “has a history going back to Moses, with elaborations, extensions, applications and innovations in accordance with new circumstances.”

One does not have to look very far in our everyday lives to see changes in halachah, or even differing practices in equally respected and Orthodox circles. Even in the most prosaic circumstances, there will be disagreements among rabbis as to which is “authentic” halachic practice. The Bible, and the enormous body of Jewish law stemming from it, is like a set of figures. You can find in it justification for whatever you want to prove.

I am waiting for some bright spark to set up a website where you type in your question, the answer you would like, and the computer will tell you which rabbi to consult.

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GEOFFREY ALDERMAN (JC, May 14) makes a number of mistakes while arguing for legalising the sale of organs.

First, it should be obvious that it will be the poor who are tempted to sell their organs as the wealthy have far less reason to do so.

Second, he is wrong to assert that regulation of money-lending has done away with companies charging very high interest rates; regulation would also not be able to control abuse of organ sales.

Third, organ-donation may be an altruistic act, but this is not always the case. For instance, a recent television programme gave many examples of people in India selling their organs to raise money.

Finally, he asserts that we have no moral right to prevent the poor from selling something that belongs to them. But it is well established that people should be protected from themselves.

As an example, I sit on a local research ethics committee. We would not permit healthy volunteers to be enticed on to trials by the payment of large sums even if they were willing to enrol.

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