

More On Organ Donation Debate

I welcome Avi Goldstein's comment on organ donation (Letters to the Editor, March 21), but would suggest that he review all of Rabbi Feinstein's responsa on the topic (specifically *Yoreh De'ah* v. 3 n. 132 and *Yoreh De'ah* v.4, n. 54). In his later responsa, after the definition of brain death was established in the medical community, Rabbi Feinstein expressed quite clearly his view that brain death is indeed halachic death.

While clearly there is rabbinic disagreement on the matter of brain death, Rav Moshe Feinstein, Rav Moshe Tendler, Rav Avraham Steinberg and the Chief Rabbinate of Israel rule that brain-stem death is halachic death and allow organ donation. Rav Aharon Lichtenstein, the son-in-law of Rav Yosef Dov Soloveitchik, has said that there is enough Talmudic and rabbinic sources to allow for organ donation from a person who is dead (as confirmed by brain-stem death), even though his heart is still beating.

The Rabbinical Council of America similarly asserts this definition of death and provides an option to indicate organ donation in the living-will health care proxy offer which is available for download on RCA website (www.rabbis.org). Rabbis such as Shlomo Aviner, Yaacov Wharhaftig, Shlomo Riskin, Yuval Sherlo, and others hold
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LETTERS TO THE EDITOR

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HOD Society organ donor cards indicating organ donation after brain-stem death.

Mr. Goldstein is correct in noting that there is no great halachic authority on the board of directors of the

Halachic Organ Donor Society. The reason is simple. The HOD Society does not issue *p'sak halacha*. Even more so, the HOD Society doesn't officially take a position on the moment of death argument, for it rec-

ognizes that there is a legitimate debate among halachic authorities. The HOD Society board of directors is comprised of ordinary Orthodox Jews who take the issue of *pikuach nefesh* seriously and believe that all Jews should be educated about the issue, consult with their rabbis, and then order an organ donor card that reflects their halachic position if possible.

If Mr. Goldstein believes

that organ donation from a dead person is indeed "a wonderful thing," and he defines death as cessation of heartbeat, we would encourage him to register to be such a donor. The HOD Society organ donor card (www.hods.org) offers this as one of two options to be checked off. We eagerly await his registration.

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