

Does Judaism Allow Organ Donations?

Frequently asked questions about Jewish views on these life-saving procedures.

BY MJL

Organ donation, the process of transplanting healthy human organs into sick patients, can be a life-saving procedure, which is why many Jewish authorities from across the denominational spectrum believe it to be a religious duty. Jewish tradition considers saving human life — [pikuach nefesh in Hebrew](#) — to be among the highest ethical obligations. Saving one life, the [Talmud](#) says in ([Mishnah](#) ★ [Sanhedrin 4:5](#) □), is equivalent to saving an entire world.

Concerns about organ donation after death have traditionally rested on laws concerning the handling of dead bodies and the [mistaken view](#) that bodies must be buried intact if they are to be resurrected after the Messiah comes — the traditional belief known as *techiyat hameitim*. While taking organs from the dead is undoubtedly fraught with delicate ethical questions, the life-saving potential of organ donation is so great that nearly all restrictions of Jewish law can be suspended.

Below are some frequently asked questions about Judaism and organ donation:

Isn't Judaism against organ donation?

That's a common perception, and one of the reasons frequently cited for Israel's [low rate](#) of organ donation. But on the whole, there is widespread support for organ donation across the spectrum of Jewish observance, from Reform to [haredi Orthodox](#). Some authorities, citing the injunction in Leviticus 19 not to stand idly by the blood of one's neighbor, go further in suggesting that Jewish tradition mandates organ donation in certain circumstances. The Conservative movement [endorsed that position in 1995](#), when it established that post-mortem organ donation is not merely permissible, but required. Some Orthodox figures also consider organ donation obligatory.

So it's OK to donate the organs of the dead?

Yes. Several [traditional requirements](#) — to bury the dead quickly, and avoid any defilement of or benefit from a dead body (the reason [autopsies](#) are generally not done) — would seem to preclude taking organs from cadavers. However, the lifesaving potential of organ donation is regarded as overriding those strictures. The key issue is the definition of death.

Yes, how does Judaism define death, particularly in this modern age of life-support systems?

Though by no means unanimous, many rabbis hold that death in Jewish law occurs with the irreversible cessation of brain stem function. In brain death, a patient is unable to breathe independently without a mechanical ventilator, but his or her heart may still be beating, which creates a window for the harvest of vital organs like the heart and lungs. Authorities from all three major denominations — Orthodox, Conservative and Reform — maintain that in such cases organs may be taken for the purpose of saving another life.

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The Conservative movement has endorsed an even more expansive position. In 2010, the movement's religious authorities ruled that in situations where a person is unconscious, dependent on a ventilator and has no hope of recovery — even if he or she may show some limited brain activity — the person can, under certain conditions, be removed from life support and their organs taken for transplant after the heart stops beating.

A more restrictive opinion held by some Orthodox rabbis maintains that death occurs with the cessation of heartbeat, a criterion that makes vital organ donation much more medically difficult. Under this opinion, any harvesting of organs from a patient whose heart is beating would be absolutely prohibited.

What about organs from live donors?

With live donors, the difficult question of determining death is moot, but other legal issues arise. Judaism prohibits placing oneself in unnecessary danger, and organ donation is never entirely risk-free. Authorities from across the denominations agree that if a live transplant would place the donor in mortal danger, it should not be undertaken. With kidney donation, the most common organ transplant procedure, the dangers are sufficiently low and the life-saving potential so great that risk is not generally seen as an obstacle. Other live organ donations, like the liver, are considered riskier and may even be prohibited by some rabbis.

Can you donate your organs for medical research?

Most rabbis say no, though there are exceptions. With research, the line between the donation of a specific organ and the saving of life is sufficiently indirect that most authorities do not believe it qualifies as pikuach nefesh. One Reform rabbi has written that if the body parts are “given to a scientific institution to study, and then are buried after the work on them is done, there can be little objection from the liberal point of view.”

Is it possible to become an organ donor and still adhere to Jewish law?

Yes. The Halachic Organ Donor Society, an Orthodox nonprofit dedicated to increasing organ donation in the Jewish community, has developed a halachic organ donor card. Though similar to the organ donor box

that some people check when getting their driver's license, the HODS card specifically states that any transplant procedures be conducted in consultation with the deceased's rabbi. It also permits donors to decide which definition of death they wish to be applied — either brain stem death or cessation of heartbeat. The Conservative movement has a [similar card](#).

Can an organ donor still be buried in a Jewish cemetery?

Yes. Though there is historical precedent for those who committed certain infractions being denied a Jewish burial, or buried in a separate section of a Jewish cemetery — suicide being a common one — in the modern era, it is exceedingly rare to deny any Jew (including those who have commit suicide) a traditional burial. According to HODS, there is no known case where a person was denied burial in a Jewish cemetery because they donated their organs. However, some aspects of the traditional preparation rituals for burial, known as [tahara](#), may not be possible for donors.

What about selling one's organs for money?

The sale of human organs for transplant is highly controversial, prompting fears of exploitation of the poor (who would have greater incentive to sell their body parts and thus be at greater risk of exploitation) and the privileging of wealthier recipients (who are better able to pay to save their own lives), among other considerations. For these reasons and others, it is illegal in most of the world, which renders the question of its permissibility under Jewish law effectively moot. However, [some Jewish authorities believe](#) that, in principle, there is nothing in Jewish law that prevents compensating donors for their organs provided certain conditions are met. Robby Berman, the founder of the Halachic Organ Donor Society, has [personally called](#) for a reversal of U.S. laws banning compensation for organ donors since that would almost certainly expand the number available. HODS has no position on the matter.

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