

MEDICAL HALACHA / 'EVEN JEWS WITH TATTOOS REFUSE TO DONATE BECAUSE OF JUDAISM'

Rabbis work to uproot taboo against organ donation

While Judaism sanctions the giving of organs to save lives, Jewish communities worldwide rank among the lowest by percentage of donors – both living and posthumous

By CATHRYN J. PRINCE | 12 May 2019, 4:26 am



In this illustrative photo taken June 28, 2016, Dr. Matthew Cooper, left and Dr. Seyed Ghasemian transplant a donated kidney into Brenda Hudson at MedStar Georgetown University Hospital in Washington. (AP Photo/Molly Riley)

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NEW YORK — Rabbi Steve Moskowitz will say he did nothing exceptional when he donated one of his kidneys to a stranger 14 years ago.

He would be wrong.

Beyond that it was an act of selflessness, it was exceptional for the simple fact of his faith. For while Judaism sanctions organ, eye, and tissue donation to save lives, Jewish communities worldwide rank among the lowest by percentage of donors – both living and posthumous. There are a host of explanations for the resistance to registration, but mostly because of a lack of knowledge, said several people familiar with the issue.

“There needs to be more education about it. People aren’t thinking about becoming living donors if they aren’t directly affected by the issue. As for donation after death, I can loosely say that everyone should do it; why would you not?” Moskowitz said.

According to US Department of Health and Human Services (HHS), as of January 2019 over 113,000 men, women and children are on the national transplant waiting list. There were 36,528 transplants performed in 2018, and 20 people die each day waiting for a [transplant](#).

New York State has the lowest organ donor registration rate out of all 50 states, [according to NYU Langone Health](#), with just 30 percent of residents signed up to donate. By contrast, the national average is 55%, while Montana has 93% of the population registered, Alaska has 92%, and Washington has 89%, according to HHS.

Part of the reason for New York's low rates is that most Jews and Chinese who live in America are concentrated in the Empire State, and those two groups tend not to donate, said Robby Berman, executive director of Halachic Organ Donor Society (HODS).

"Jews who are secular and not observant will still balk at organ donation because they think Judaism doesn't allow for it. I have met Jews who have tattoos and eat cheeseburgers, which are clear violations of Jewish law, but they refuse to donate organs because of Judaism. It has become a taboo of immense proportions," Berman said.

That low rate prompted Berman to found HODS. Determined to change minds and increase numbers, HODS has recruited 340 rabbis worldwide to register for organ donation and has spoken to more than 50,000 Jews about the issue in over a dozen countries. However, its unknown precisely how many people HODS has influenced because not everyone who registers as an organ donor holds a HODS card, Berman said.

The reasons for not signing up are varied, but stem from a misinterpretation of halacha, or Jewish law.

Rosh Kehilah Dina Najman, a certified bioethicist and former HODS board member, explained further.

"That the Jewish community, with its tradition charity, g'milut chesed [acts of loving kindness] and value of pikuach nefesh [saving a life], cannot sufficiently meet its needs for life saving organs is enough to demand a serious examination of the halachic and social issues involved in organ transplantation," Najman said.

There are some who say one cannot delay burial of the dead. Others worry that one can't derive benefit from the dead. Lastly, there are those who say it's forbidden to desecrate the dead. Therefore, some might argue taking organs from a dead body violates these laws, Najman said. However, one may transgress any prohibition of the Torah to save a life, so long as it doesn't endanger one's own life, she said.

Additionally, many Jewish people believe Judaism forbids cadaveric donation because when there is t'chiyat ha'maytim (the resurrection of the dead), the body could be missing vital parts.

"This is an excuse for people by saying: How will we walk without our liver or heart. This is clearly a nonsense argument because if God can help us get up for t'chiyat ha'maytim, surely, He will help us walk. Furthermore, the organs and tissues disintegrate into the ground and presumably they will not even be there for t'chiyat ha'maytim. So, this is not even included in the legitimate discussion," Najman said.

To that end, LiveOnNY, the state's nonprofit organ procurement organization, recently hired Rabbi Ari Perl as its vice president of Jewish Community Engagement and Multicultural Education.



Rabbi Steve Moskowitz. (Courtesy)



Robby Berman, executive director of Halachic Organ Donor Society. (Courtesy)



Illustrative: In this February 2014 photo, organ procurement coordinators work with the body of a potential organ donor at Mid-America Transplant Services in St. Louis. (AP Photo/Whitney Curtis)

Aside from having a daily presence in hospitals and transplant centers, LiveOnNY works to spread information about donation every day at various community events such as street festivals, 5K runs and blood drives. It also holds an organ donor enrollment day each October.

Because of its efforts the New York State Registry is now one of the fastest growing in the nation, according to LiveOnNY. New York's organ donor registry numbers over 5.5 million — greater than the population in 27 states. Nevertheless, there still remains a 25-percentage point difference in per capita registration rates between New York and the rest of the country.

Although Jewish and Chinese donor registration aren't low enough to account for the gap alone, Perl said he's working directly with the groups — two of the city's largest religious and ethnic communities — to increase their respective donor registration and consent rates.

“The first thing we've done is recognize that progress can only be accomplished by hiring an insider, a rabbi with a thorough understanding of both organ donation and Jewish law and culture, to engage and educate the Jewish community,” Perl said.

In the past when a Jewish family responded to the opportunity to donate organs by saying “our religion doesn't allow it,” LiveOnNY lacked the right vocabulary to respond. Now, if a rabbi is the one who approaches that family in the hospital, that same family is far more open to at least having a conversation about donation, he said.

Previously, when LiveOnNY approached a JCC or synagogue to collaborate on a donor Sabbath program or an educational initiative, the offer was generally politely declined, he said. Now when it's one rabbi speaking to another, or one rabbi speaking to a Jewish educational director, the request is greeted with more interest and enthusiasm.



Rabbi Ari Perl, vice president of Jewish community engagement and multicultural education for LiveOnNY. (Courtesy LiveOnNY)

“Getting in the door is more than half the battle. Once we are able to engage families and communities that are open to being educated, a lot of misconceptions and false notions can be put to rest,” Perl said.

Beyond JCCs and synagogues, HODS is looking to reach college age students through its HODS Ambassadors Program. The nonprofit plans to award five fellowships to Jewish college students who want to become on-campus

advocates for organ donation. Those selected will learn about the science of organ donation and become versed in the issues surrounding organ donation in Jewish law, Berman said.

These kinds of initiatives are vital, said Rabbi Shmuly Yanklowitz, the executive director of the pluralistic Valley Beit Midrash in Phoenix, Arizona.

Since donating a kidney to a young Israeli stranger in 2015, Yanklowitz has crisscrossed the country sharing his story and educating people about the need for living and cadaveric donation.

“Education on this issue is very low. People feel really ill equipped to explain the issue,” Yanklowitz said. “There is the medical knowledge, the Jewish textual knowledge and the reality on the ground. Most major Jewish institutions don’t address this at all — and one of the highest values we place is on saving human lives.”



Rabbi Shmuly Yanklowitz, left, with his kidney recipient. (Courtesy)

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