



Organ, Eye, and Tissue Donation

AN ORTHODOX JEWISH PERSPECTIVE

LiveOnNY

Caring for New Yorkers
through organ donation



According to Jewish law (*Halakha*) and ethics, *Pikuach Nefesh* (saving a life) is the supreme Jewish value and greatest *mitzvah*, taking precedence over almost every other religious act or consideration, including *Shabbat* observance. Because a single organ donor can save up to eight lives, **Rabbi Moshe Feinstein, zt”l**, (Igrot Moshe, Y”D II, 174) rules that organ donation is a sacred act of *Pikuach Nefesh*, which overrides the concern for being buried whole. This position has been embraced by **Rabbi Dr. Avraham Steinberg**, one of the world’s leading authorities on Jewish Medical Ethics & Law, as well as numerous *Rashei Yeshiva* (Rabbinical School Deans), *poskim* (authorities on Jewish Law) and the Chief Rabbinate of Israel.

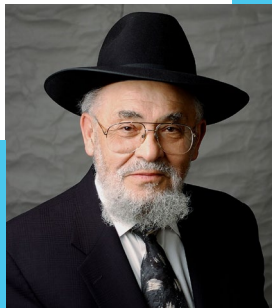
Why do some Orthodox Rabbis oppose organ donation?

The basis for disagreement is the definition of death. Jewish law (Talmud Yoma 85a, Shulchan Arukh O”C 329:4) defines death as the absence of autonomous respiration. Until the late 20th century, the cessation of autonomous breathing and the loss of heartbeat occurred almost simultaneously. As a result, death was determined by the absence of both. However, over the past 50 years, the universally accepted medical definition of death has been expanded to include “the irreversible cessation of all functions of the entire brain, including the brain-stem,” referred to as ‘neurological death’ or ‘brain death.’ According to **Rabbi Moshe Feinstein** (Igrot Moshe Y”D 3:132), because it is an established scientific fact that breathing is controlled directly by the brain stem, a patient declared dead by neurological criteria has irreversibly lost any ability to breathe and is considered dead according to Jewish Law. According to Rabbi Feinstein, in the absence of any brain stem activity “the ‘breathing’ and heartbeat that are sustained entirely by a mechanical ventilator are not considered an indication of life.” This ruling has been affirmed by Rav Moshe’s son, **Rabbi Dovid Feinstein**, and son-in-law, Rabbi Dr. Moshe Tendler, as well as **Rabbi Dr. Avraham Steinberg**, the Chief Rabbinate of Israel and other leading rabbis. Other rabbis continue to maintain that the presence of a heartbeat is an indication of life, even if it has been medically demonstrated that the patient has irreversibly lost any possibility for autonomous respiration. Because those rabbis consider such a patient to still be alive, they forbid donation of the patient’s vital organs, even to save another person’s life.

“Saving a single life is the equivalent of saving an entire world.”

- Jer. Talmud Sanhedrin 4:1

“Donating an organ to save a life is a great mitzvah. Because restoring sight is considered lifesaving, this includes cornea donation.”



-Rabbi Dr. Moshe Tendler, zt”l
Rosh Yeshiva, Yeshiva University

The following is a partial list of leading rabbis who accept brain death and encourage organ donation:

- ▶ Rabbi Shlomo Amar (Sefardic Chief Rabbi)
- ▶ Rabbi Meir Lau (Ashkenazic Chief Rabbi)
- ▶ Rav Zalman Nechemia Goldberg, z”l (Av Beit Din Yerushalayim)
- ▶ Rav Yaakov Medan (Rosh Yeshivat Har Etzion)
- ▶ Rav Eliezer Melamed (Rosh Yeshivat Har Bracha)
- ▶ Rav Nachum Rabinovitz, z”l (Rosh Yeshivat Birkat Moshe)
- ▶ Rav Shaul Yisraeli, z”l (Rosh Yeshivat Mercaz HaRav)

FACTS

- ▶ Approximately 100,000 people across the country are waiting for lifesaving transplants.
- ▶ One New Yorker dies everyday waiting for a lifesaving transplant.
- ▶ Anyone can be a potential donor, regardless of age, race, or medical history.
- ▶ Donation is only considered after all efforts to save the patient have failed.
- ▶ All costs associated with donation are covered by LiveOnNY.

For more information, contact:

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