



Robert Berman

Brain Death Is Final

AMPUTEES HAVE it rough. No one ever prays at the Kotel for recovery of their lost limbs. Why? Because it seems there are some irrefutable laws of nature that even God does not transgress. Why is it, then, that people sometimes pray for their loved one to 'wake up' from brain death? The chances of recovering from brain death are zero – exactly the same as growing back a human limb.

In spite of what you see on America's Oprah Winfrey TV show, or read in the recently published report authored by Rabbi Asher Bush of the Rabbinical Council of

America, or hear from uneducated rabbis who pressured the family of Israeli soccer legend Avi Cohen not to donate his organs, there has not been one documented case of a brain dead patient coming back to life. Cohen, who was declared brain dead nine days after a motorcycle accident in late December, was denied his wish to donate his organs after rabbis persuaded the family that he might make a miraculous recovery.

True, the brain of a comatose person is not dead and people sometimes recover from a coma. But once a brain dies, as it had in Cohen's case, it doesn't simply stop working; it begins a process called lyses in which its cells rapidly begin to disintegrate. This is why the brain, unlike the heart, can't be "restarted."

Offering false hope to a desperate family is cruel to the family and heartless to the eight other people who will die as a result of this one person not donating his organs. But I don't directly blame the rabbis, who were medically ignorant or the Cohen family who were emotionally distraught.

I blame the media. The media that report stories that mislead the masses into thinking people can wake up from brain death. The media that freely and incorrectly substitute the word 'brain death' for 'coma,' without recognizing the differences between them. And the media that continues to allow its journalists to use the term 'life support,' a term that should be banished for life. Using the term "life support" implies the person is alive. So why would a family want to donate the organs of a loved one whose life is being 'supported'? "The tongue has the power of life and death" (Proverbs 18, 21). Choose your words carefully.

A patient on a ventilator may or may not be alive depending on the status of his brain. If the brain dies, then the human being has died. The organism is dead but the organs are alive. The name of the device that vents air into a patient, forcing oxygen into the lungs, is



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a ventilator, not a 'respirator' and certainly not a 'life-support machine.' If I attached a football to a ventilator, I don't think the media would report that the football is on life support.

I am not recommending that Israel's Ministry of Health create a special department of "medical censorship" for the media, something akin to the military censor. Ultimately, it is the editors and journalists who are responsible and should be accountable for accuracy in their reporting.

Per capita, Israel has one of the lowest organ donor registries of almost any other Western country. Many factors inhibit Jews from donating

organs: a misunderstanding of halakha (Jewish law), a superstitious belief that God is powerless to resurrect people who were not buried with all of their organs, and the urban myth that the *hevra kaddisha* (burial society) will not bury a Jewish organ donor in a Jewish cemetery. All of these misconceptions need to be addressed and corrected by rabbinical authority.

But the false belief that a person can wake up from death, death of the brain, needs to be addressed by the medical community and it needs the help of a responsible media accurately reporting the news. What can you – the reader – do to help? The next time you read a news story that uses the term 'life support' or that implies a brain dead patient can wake up, write a letter to the editor. It might lead to a higher quality media and will most likely make more human organs available for transplantation.

As a result of the non-fulfillment of Avi Cohen's last wish to be an organ donor (he had an organ donor card), Members of Knesset have just submitted a bill for review that would mandate the removal of organs from a deceased (i.e. brain dead) organ-donor card-holder even over family objections. I understand the lawmakers' frustration, the desire to protect personal autonomy and Israel's dire need for more donors, but I believe this makes for poor public policy.

Forcibly removing organs from a person whose family thinks is still alive will cause them intense emotional pain and could lead them to become physically violent towards transplant personnel who approach their loved one. I recommend less legislation and more education. At the very least, we have a right to demand accurate reporting from the press.

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