

# O L A M

T H E J E W I S H W O R L D

## The Gift of Life

GABRIELLE BIRKNER

IN SEPTEMBER, Jonathan Joseph "J.J." Greenberg, the son of prominent Orthodox Rabbi Irving "Yitz" Greenberg, and leading Orthodox feminist Blu Greenberg, was struck by a car while riding his bicycle near Zichron Yaakov in northern Israel. He was rushed by helicopter to Ichilov Hospital in Tel Aviv, where he was declared brainstem-dead. What happened next may have been unthinkable 25 years ago, and still remains exceedingly rare: The vital organs of the 36-year-old executive director of the Jewish Life Network were harvested to save the lives of six people.

"Once we knew there was no possibility of him surviving, it wasn't a hard decision to make," says Blu Greenberg, referring to the family's decision to donate J.J.'s organs. "The idea of extending someone else's life was what J.J. would have wanted."

Robby Berman wishes the Greenbergs' decision was not so exceptional.

Through the creation last year of the New York-based Halachic Organ Donor Society (HOD), the comedian-turned-journalist-turned game designer

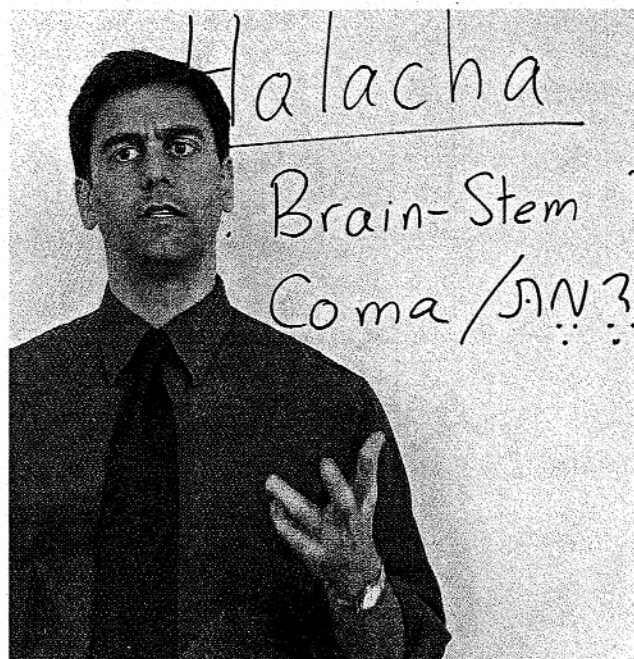
hopes to change the widespread perception of Jews—both secular and observant—that organ donation is categorically prohibited by Jewish law, or *halachah*.

Specifically, the 37-year-old Yeshiva University graduate—who is not a halachic authority—seeks to convince the majority of Jews that "harvesting" organs from individuals who have suffered irreversible brainstem death is acceptable, according to

some rabbis. (The heart stops beating within moments of brainstem death.)

He first became aware of what he sees as the vital need for Jews to sign organ donor cards in the late 1990s while working as a freelance journalist in Jerusalem, where he settled after making aliyah, serving in the Israeli army, and working for years as a stand-up comic.

Researching an article about



ARIEL JERZOLIMSKI

### JEWISH LIVES

One-time comedian

Robby Berman is

serious about

convincing Jews that

it's okay to donate

internal organs so

that others might

survive.

Robby Berman hopes to change the widespread perception among Jews that organ donation is categorically prohibited by Jewish law. He presents his case at Modern Orthodox congregations in the U.S., Canada, and Israel.

## The Visit

Almost two years ago I had my right leg amputated below the knee due to a bad combination of medical problems. I

### MOMENT OF TRUTH

could not tolerate the idea that an important part of my body would be burned as medical waste. So in keeping with Jewish tradition, I arranged to have it buried.

With a heavy heart and a spirit in deep shock, I purchased a small, unmarked plot through my synagogue and was given the coordinates for its location.

One month after the amputation I had a near-fatal heart attack. I was expected to die within days but due to my husband's persistence and a good doctor, I had bypass surgery and survived. I was told I would never walk again, and would never be able to have a prosthesis because of medical complications.

The next year was spent rehabilitating my body. Though I physically improved, it was as if my spirit had been buried along with my leg. I went through the motions of living without really being emotionally present.

I began to have this burning desire to see where my leg was. I needed closure. So I went.

As I sat in my wheelchair above the grave of my buried leg, grief, anger, and fear flowed out of me. I wondered how I was going to really live again. I looked out around me.

To the right was the cemetery—tombstones in neat rows, a bench, manicured grass, and trees. To the left was undeveloped land belonging to the cemetery, a wild uncultivated field where jackrabbits and prairie dogs ran around.

It struck me how that field was a metaphor for life—wild, unpredictable, and messy, but vibrant and energized. I could choose the cemetery or I could choose the living field.

The words of Moses speaking God's charge to Israel rang in my head: "Heaven and Earth testify this day against you, that I have set before you life and death, blessing and curse, therefore choose life ..." (Deuteronomy 30:19).

The choice was mine. And I chose to live.

—Miriam Lippel Blum

Do you have a Moment of Truth, a small experience that changed the way you look at the world? Please send it, in 150 words or less, to Moment Editorial, 4710 41st St., NW, Washington, DC 20016; or email it to [editor@momentmag.com](mailto:editor@momentmag.com).

organ donation in Israel, he came across some facts that led him to champion the cause in the Jewish community: During one 12-month period in the late '90s, there were 114 Israelis who died while waiting for organs. In that same period, 130 were lying in hospitals brainstem-dead and on a respirator.

"Those 130 people could have easily saved 114 people," Berman says. Yet family members of the patients—many citing halachic opposition to organ donation—refused to donate the organs of their loved ones.

So he began his crusade. He first tried to solve the problem by hosting a series of community gatherings where he urged people to sign organ donor cards. Apathy killed the plan.

When he moved back to the United States later that year to market a board game he developed with his nephew, he tried again.

This time, he enlisted the help of Modern Orthodox attorney Stephen Flatow, of New Jersey, whose daughter Alisa died in a 1995 bus bombing in the Gaza Strip when she was 20. Her parents' decision to donate her organs while she was brainstem-dead and respirator-dependent, ultimately saved the lives of three people, and garnered much publicity.

Flatow, who serves as HOD's president, helps to back the organization with a portion of the reported \$22 million he has received from a \$247 million U.S. federal court judgment against the Iranian government, which was found to have supported the terrorist organization responsible for the bombing that killed his daughter.

Meanwhile, Berman began targeting the Modern Orthodox community. "I'm a man of limited time, money, and manpower," he says. "I'm not going to focus on the ultra-right-wing *haredi* Jews. Most likely I'm not going to succeed in

changing their mind. I want to focus on the swing vote—the Modern Orthodox."

He believes this tactic will have a domino affect in the larger Jewish community.

"It seems that when it comes to death and dying, Jews become what they perceive to be a little bit more religious," Berman says. "[Less observant Jews] will eat a cheeseburger, but when it comes to death and dying, they say, 'If Orthodox Jews don't do this, we don't want to do this.'"

While Jewish law prohibits delaying burial, mutilating, or deriving benefit from a corpse, most rabbis agree that *pikuah nefesh*, or saving a life, overrides these and virtually all other halachic restrictions. Many rabbis will therefore acknowledge that organs may be "harvested" from a person who is dead.

What is disputed, particularly among Orthodox rabbinic authorities, is just what constitutes death. Some, including the Israeli Chief Rabbinate Council, say the moment of death is the moment the brainstem irreversibly ceases to function; other authorities, like Rabbi Dr. J. David Bleich, contend it's when the heart stops beating.

In 1991, under the direction of renowned Orthodox *posek* (decisor) Rabbi Moshe Tendler, the Rabbinical Council of America's Bio-medical Ethics Committee created a health care proxy form that would authorize the removal of vital organs for transplantation from a respirator-dependent, brainstem-dead patient. (The RCA, which represents 1,100 rabbis, is the largest Orthodox rabbinic organization in America.) The RCA's central administration approved the measures, while the group's own *vaad halachah*—or committee on Jewish law—opposed them.

The pronouncement of the moment of death is important

because most vital organs, especially hearts and livers, are only suitable for transplantation if they are removed while the blood is still circulating through the body. When the heart stops beating, and blood stops circulating, tissue degeneration generally renders organs unfit for transplant, according to Dr. Jonathan Halevy of Shaare Zedek Hospital in Jerusalem.

The HOD Society's organ donor card lets potential donors choose when they want their organs to be removed—after brainstem death or once the heart irreversibly stops beating.

The recent high-profile cases of J.J. Greenberg and Yoni Jesner, 19, who was killed by a Palestinian suicide bomber on a bus in Tel Aviv and whose families allowed his organs to be harvested, brought organ donation and halachah to the forefront.

"With all the attention focused on J.J. and Yoni Jesner, there's been quite a rethinking of the issue in the Orthodox community," says Blu Greenberg. "Within each segment of the Orthodox community, there are those who say (organ donation) cannot be done, and those who say it is permissible. I think now the voice of those who say it is permissible is being more widely heard."

Rabbi Yitz Greenberg, who has been in contact with Flatow and Berman since his son's accident, adds, "If one answer saves lives, and the other answer doesn't, the one that saves lives should be chosen. The primary commandment of the Torah is to choose life."

He notes that three of the six recipients of his son's organs were within days of dying, according to doctors. "The organs were life-transforming and life-saving in the most literal sense."

Berman now devotes his life to explaining what Jewish law

and various rabbinic authorities say about organ donation, an approach he hopes will encourage others to make the same choice as the Greenbergs and the Jesners. He spreads his message through humor-laced, but passionate presentations at Modern Orthodox congregations in the U.S., Canada, and Israel. A recent speech at Congregation Agudath Sholom in Stamford, Conn., began with the following analogy:

"You pack your family into a car and drive to the tip of Long Island for a vacation, only to find out your car breaks down when you get there," he told the audience. "You have the choice of two mechanics: One is a real *shlub* who makes a lot of noise with a hammer. The other is a good mechanic who knows what he's doing and has a degree in

mechanics. Which one do you choose? It doesn't matter. You're on the tip of Long Island, and neither has spare parts."

It's the same thing with organ donation, according to Berman. "You can be on the verge of being healed, but there are no spare parts," he said. Worse yet, sometimes the parts are available, but nobody's willing to supply them.

Berman wants to change that—and fast. "Within three years time, I want to say, 'I had an objective, and I achieved that objective,'" he says. "If I can get a couple thousand people to sign HOD organ donor cards, and if I can get eight out of 10 Jews to acknowledge organ donation is permitted by some rabbis, I'll close down the HOD Society and move back to Israel." ❧

For more information on HOD go to <http://www.hods.org>

