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Jerusalem - Eda Haredit: Organ Donation Is Murder

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Jerusalem - Following a Ynet report on the Chief Rabbinate's decision to recognize brain-respiratory death, thus allowing organ donations in accordance with Jewish religious laws, the Badatz, the Eda Haredit's high court, ruled that taking organs from a person in such a condition or removing him or her from life support is murder.

In an announcement published in the ultra-Orthodox organization's journal, 'HaEda', the Badatz, headed by Yitzhak Tuvia Weiss reiterated the ruling that was given almost two-years ago, "in light of the Zionist rabbinate's shocking seal of approval".

The announcement said, "We have already ruled and given a clear Torah judgment... that brain death or brain stem death are not defined as death, and if organs are taken from (a person in such a condition) it is murder.

"We repeat that such a ruling already exists, and life support must not be disconnected, the person is alive in every way."

The Eda Haredit's firm stance is in line with that of the mainstream ultra-Orthodox public's position, as it expressed in the community's Yated Ne'eman daily paper.

An editorial published after the Chief Rabbinate's ruling titled "Caution: Bloodshed" criticized the rabbis' debate over the matter, saying, "There is no place of discussions or debates in this matter" and protested the fact that "Every student is allowing himself to give 'educated opinions' and present 'halachic studies' in the matter as they please."

The editorial said that paper would "continue to express the Torah and the halacha's stance against these dangerous initiatives, as part of its role and its mission as a form of expression of the Torah world and the God-fearing public standing on the front lines of the struggle for the sanctity of life according to halacha."

Last month the Chief Rabbinate ruled that the Organ Donation Law's definition of brain death at the moment of death is in line with that of the halacha. However, arbiter Yosef Sholom Elyashiv maintains his objection to the ruling, and views cessation of cardiac rhythm as moment of death.

The Chief Rabbinate's decision ratifies a ruling given by the council in 1987 on determining the moment of death. At the time, the rabbis ruled out organ donation after the medical establishment objected to having a rabbinical representative join the team that determines death.

Now that the law has been approved, there is no concern that doctors may pronounce someone dead against halacha, and the rabbinate decided to introduce a new organ donation initiative, parallel to that of the National Transplant and Organ Donations Center.

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