

Jewish Contemporary Ethics Part 43: Medical Ethics 5 – End of Life and Assisted Dying

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It is important to note that Jewish law not only recognises the sanctity of every individual life, but, as Rabbi Professor J. David Bleich of Yeshiva University puts it: “Judaism also regards every moment of

life, regardless of its quality, as endowed with infinite value” (*Time of Death in Jewish Law*, p. 127). This axiom makes the issues pertaining to the end of a patient’s life very complicated and often at odds with contemporary thinking.

Given that every case is unique and that there are many medical, ethical, legal and halachic factors at play, this article should be taken as a broad introduction to some of the key principles regarding the treatment of those who are nearing the end of their lives, which is of course a painful and emotional subject. Real cases must be brought for consultation to a rabbinic authority, alongside professional medical care.

In 1995, after extensive consultations, a number of leading Israeli rabbinic scholars, including the late Rabbi Shlomo Zalman Auerbach (1910-1995), who was often consulted by the staff of Shaare Zedek Medical Center, wrote that any proactive action that hastens the death of a patient is forbidden.

With regards to withholding short-term treatments, the Director of the Medical Ethics Unit at Shaare Zedek, Rabbi Professor Avraham Steinberg, notes that it is permitted to withhold the commencement of medical treatment that may extend the life of a terminally ill patient, in order to allow the patient to die, especially where such treatments may cause more suffering. However, this only applies in cases of terminally ill patients who are dying of a known fatal illness. The decision not to initiate treatment must be carried out with the

patient’s consent. Rabbi Steinberg notes that it is the patient’s suffering and not the ‘quality of life’ which is the determining factor (*Encyclopedia of Jewish Medical Ethics III*, pp. 1059-1060).

Whilst positive actions to speed up death may be forbidden, there are early precedents to pray for a merciful death for someone who is suffering from a terminal illness. For example, the maidservant of Rebbi Yehudah HaNassi, who compiled the Mishnah, noticed his suffering and prayed for him to pass away (Talmud Ketubot 104a). Prayer is a request to God, which leaves the ultimate decision of life or death is in His hands.

Human logic may lead us to think that a hopelessly poor quality of life, unbearable suffering and the wishes of a terminally ill patient should be the primary forces in determining when life should end. In addition, supporting the terminally ill is emotionally draining, painful and can leave the carer or relative feeling powerless and ineffectual. Yet while everything must be done to ease the suffering of others, it is not in our hands to decide when life should end, for “our thoughts are not God’s thoughts, and our ways are not God’s ways” (Yeshaya 55:8-9).



Answers: rrewoh and gnawing