

## Judaism - Ethics: Bioethics

- The Jewish ethical code is based on the Torah
- The **Halacha** does not legislate for every occurrence certain choses are left to humanity's moral sense of what is right/wrong. Thus, this raises the consciousness of the people
- Judaism has come to the place where there is a definition of 'brain death' which opens the world to organ transplants
- Ethical teachings are guided by the Torah
- Recognise that from the day they received the Torah, they must interpret it, e.g. You shall not murder is not the same as you shall not kill.
- Everything in the Torah is interpreted + understood + debated. This was done orally. These debates were written down in documents, e.g. The Talmud.
- Jewish law = the Halacha
- In Judaism, there is a continual interaction between Halacha (Jewish law)
- Deliberations are based on the torah and Talmud
- Decisions on bioethics are generally based on 3 principles
  - Human life has infinite value. Illness, ageing and death are a natural part of life and improvement of the patients quality of life is a constant commitment. Obligation to use whatever resources at disposal to save and improve life
  - The overriding commandment is that of the 'Pikuach Nefesh' - The obligation to save a life in jeopardy even to extent of violating other commandments
    - **Murder:** You can't kill someone else in order to save someone else's life (no one's blood is redder than another)
    - You can't commit a **sexual crime** to save a life, e.g. Rape this person to save the life of another.
    - **Idolatry** (worshipping an idol)

### Abortion:

- Judaism considers that life begins at the 'crowning of the head'. This is based on a number of biblical principles. That is, until the child is born and takes its first breath.
- Until 40 days of conception, there is no fluid given to the baby
- "*When men fight and one of them pushes a pregnant woman so that a miscarriage results, but no other damage ensues. The one responsible shall be fined.*" (Exodus 21:22)
- As a general rule, abortion in Judaism is only permitted only if there is a direct threat to the life of the mother by carrying the foetus to term or through the act of childbirth. In such a circumstance, the baby is considered a *rodef*, a pursuer (as in someone who is pursuing you in order to attack you and the action that you take is thus self-defence) after the mother with the intent to kill her.
- Judaism recognises psychiatric as well as physical factors in evaluating the potential threat that the foetus poses to the mother. The danger presented by the foetus must be both probable and high substantial damage in order to justify abortion.
- When the baby is born and the mothers life is in danger, you must be able to save both because the baby is now a life and is equal to the mothers.

## Euthanasia:

- The Jewish view of humanity is based on the belief that man was created in God's image, as stated in Genesis 1:27... "*and God created man in his own image in the image of God he created him, male and female God created them*"
- This idea, that man was created in God's image, is the basis of the concept that man does not possess exclusive ownership rights to his body
- The body is the property of God
- Life, no less than death, is involuntary
- Our body is precious; a temple.
- While murder is forbidden, so is standing idly by when another is in danger
- Injuring another person or oneself is also condemned
- "*Gemilut Chassadim*" - These are the acts of love and kindness and respect.

### Stories of Rabbi's

#### **Rabbi 1: Judah Hanasi:**

- Well respected Rabbi who was dying. He was sick and in pain. His disciples continued to pray for him.
- One lady grabbed a pot and dropped it on the ground. The disciples stopped because they were surprised and the rabbi died. She was rewarded because she stopped the suffering

### Goses

- A dying person is considered a living person in all respects
- One who kills a goses (person who is dying) is a murderer - no action is permissible to speed up death
- **Leviticus 19:18**
- "*Love your fellow as yourself: I am the lord*" includes choosing an easy death for the person (Sanhedrin 45a).
- To prolong the suffering of those who have clearly begun the dying process - for whom continued aggressive medical therapy would be futile - may detract from life's sanctity
- Medical advances that have prolonged life and extended the dying process have complicated the moral and spiritual dimensions of care and decision making at the end of life.
- Hastening a person's death / removing an impediment