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Death and euthanasia in Jewish law

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INTRODUCTION

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Problems associated with death and dying have always been with us, but they have assumed a somewhat different form in recent years. There are a number of reasons for this. The enormous advances of medical science in the last century has led to increased expectations. The patient and the family feel that surely something else can be done, and that medical technology which is changing so rapidly must be able to provide answers which will save the individual threatened by death. These expectations have often proved to be correct as new and untried medical techniques have been used to help thousands of patients around the world and particularly in our highly advanced medical community.

There are, of course, limits beyond which even the best medical technology cannot go, and when those are reached disappointment was bound to be felt. That along with an arrogance on the part of some medical practitioners who believed that all decisions were now in their hands has led to a reexamination of medical ethics particularly at critical junctures when death threatened. Rather than permitting the physician to make decisions alone, the patients and their families have wanted to be included in the process. They have, of course, sought advice from many sources including the religious community as they wished to do what was good for the patient and what was right and ethical.

An additional set of problems has been raised by the continued use of medical technology when it no longer could benefit the patient. In some instances this has been done at the request of the patients or their families. In others, it has simply occurred because it was available and has become standard procedure irrespective of the condition or potential for life in the patient. Added to all of this has been the fear of litigations by the medical profession, something which has become a major factor in the last years.

These issues and others have raised questions which Judaism must answer. The traditional responsa have been only partially helpful because few individuals have reviewed them in the light of the new medical technology and/or changed attitudes. Furthermore, the number of discussions about these matter in the past remains extremely limited.

There are only a handful of examples from the Talmudic period and most serious discussions occurred only in the nineteenth century during a time when traditional Judaism felt embattled, and so tended to make negative responses to all questions which sought any change in attitude.

The nucleus of this volume consists of papers delivered at an international symposium of the Institute of Progressive *Halakhah* in Montreal in 1993. Several papers have been enlarged and some have been added.

Although a number of Reform responsa on this subject have appeared over the decades, there has been no thorough examination of the question of death and euthanasia since a lengthy essay/responsum by Jacob Z. Lauterbach, in 1924. The essays in this volume seek to examine the problem of death and euthanasia in the light of both tradition and our modern understanding of the *halakhah*. The responsa provided in this volume are representative of what has been written during this century.