

**NAJC BIOETHICS REPORT . JUNE, 2003**

Rabbi Zev Schostak, Chair  
 Rabbi Dr. Terry Bard, Associate Chair  
 Rabbi Lowell S. Kronick  
 Rabbi Joel Levinson  
 Rabbi Zev Wellins

**NAJC BIOETHICS COMMITTEE JEWISH BIOETHICS RESOURCES**

For each of our denominational groups, we have assigned members of our Bioethics Committee to serve as facilitators and coordinators for any inquiries you may have.

**REFORM:****CCAR:**

Rabbi Paul Menitoff, 355 Lexington Avenue, New York, NY 10017  
 212-972-3636; e-mail: [pmenitoff@ccarnet.org](mailto:pmenitoff@ccarnet.org)

**Bioethics Scholars:**

Richard Address, Walter Jacob

Reform resources can be found in the response collections published by the Central Conference of American Rabbis. Among the most prolific authors are Solomon Freehof and Walter Jacob. Their works include *American Reform Response* (1985) and *New American Reform Response* (1987). Additional publications have been produced by Moshe Zemer and Walter Jacob through the Freehof Institute of Progressive Halakhah. The Union of American Hebrew Congregations has produced some materials for congregations.

**NAJC Contact:**

Rabbi Dr. Terry Bard, Office: 617-667-3030  
 e-mail: [tbard@caregrqup.harvard.edu](mailto:tbard@caregrqup.harvard.edu)

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**RECONSTRUCTIONIST****RRA:**

Rabbi Richard Hirsch, 1299 Church Road, Wyncote, Pennsylvania 19095  
 212-576-5210; e-mail: [rraassoc@aol.com](mailto:rraassoc@aol.com)

**Bioethics Scholars:**

Arthur Green, David Teutsch

Reconstructionist thinking by a variety of authors can be found in *The Reconstructionist*. More recent work is published in *Behoref Hayamim*.

**NAJC Contact:**

Rabbi Zev Wellins, Office: 480-390-5565  
 e-mail: [rebzev@cox.net](mailto:rebzev@cox.net)

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**CONSERVATIVE:****RA:**

Rabbi Joel Meyers, 3080 Broadway, New York, NY 10027  
 212-280-6000; e-mail: [jmeyers@rabbinicalassembly.org](mailto:jmeyers@rabbinicalassembly.org)

**Bioethics Scholars:**

Elliot Dorff, David Golinkin, Aaron Mackler, Avram Riesner and Joel Roth

**UTJ:**

David Feldman, David Halivni Weiss

In addition to books and articles, the opinions of the Rabbinical Assembly Committee on Law and Standards are available.

**NAJC Contact:**

Rabbi Joel Levinson, Office: 631 -475-1882  
e-mail: rabbijoel@yahoo.com

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**ORTHODOX:**

**RCA:**

Rabbi Basil Herring, 305 7<sup>th</sup> Avenue, New York, NY 10001  
212-807-7888; e-mail: [execyp@rabbis.org](mailto:execyp@rabbis.org)

**Bioethics Scholars:**

Abraham S. Abraham, David Bleich, Fred Rosner, Abraham Steinberg, Moshe Tendler

There is also an extensive *teshuva* literature such as those of Moshe Feinstein. The Israeli bio-ethics journal published in English is Ass/a.

**NAJC Contact:**

Rabbi Lowell S. Kronick, Office: 757-728-7603  
e-mail: risk2j@cs.com

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**POLICY STATEMENT**

We are not a rabbinical organization. Indeed, in order to become a certified Jewish chaplain, one need not be a rabbi or cantor. Accordingly, we, collectively, as a professional chaplaincy association, do not issue halachic rulings even in areas where there is consensus among all the denominational groups. Moreover, when one raises a *sh'ala* about a particular case to his or her authority, one cannot necessarily generalize or extrapolate from that ruling. Rather, we feel that we have an obligation to our chevre to provide them with both a bibliography/publications (" the Written Law") and access to live scholars/authorities at Conferences/Ymei fyun and via phone {"the Oral Law"} for their respective movements.

## NAJC BIOETHICS COMMITTEE SURVEY REPORT

Dear NAJC Member,

I am pleased to share with you the results of our recent NAJC Bioethics Survey. Out of approximately 300 questionnaires mailed to our certified, regular and retired members, we received over — 100 responses! We thank those who took the time to respond and help us determine several focal areas for our Committee's future work. I would also like to express my appreciation to the members of my Committee for their collaborative, team effort in designing, tabulating and evaluating the survey: Terry Bard, Associate Chair; Lowell Kronick, Joel Levinson, and Zev Wellins. We hope to get back to you soon with our programming plans.

Zev Schostak, Chair

### A. BACKGROUND INFORMATION

Nearly 50% of the respondents indicated that they **worked in at least 2** settings.<sup>1</sup>

87% of the respondents are employed by the institution they serve.<sup>2</sup>

55% of the respondents are employed full-time.<sup>3</sup>

52% of the respondents work in chaplaincy settings that include palliative care teams.\*

46 serve on an organizational or facility bioethics committee/forum.

56 are consulted by patients/residents.

57 are consulted by families.

48 are consulted by staff.

38 are consulted by administration.

9 are consulted by others.

7 serve as a community resource,

while 9 serve as a consultant/resource on bioethical issues in other ways.

71% of respondents have informal training in bioethics

(92 respondents—informal training – 65; formal—27) 6 did not participate in bioethics issues.

<sup>1</sup> 98 total respondents: 144 settings selected, assuming that all respondents checked no less than 1 and no more than 2 settings — Acute Care, 30; LTC,29; Hospice,19; Mental Health,11; Community,22; Corrections,13; Other,20

<sup>2</sup> 7-Yes; 3 - No ; S-. Other

<sup>3</sup> (94 respondents—F/T-52; P/T>20hrs-- 6; P/T<20hrs- 25; Retired-11)26 have served as professional chaplains for 20+ years; 23 for 10+; 16 for 5+; and 23 for 0-5 years. 5 have served as volunteer chaplains for 20+ years; 4 for 10+; 1 for 5+ and 4 for 0-5 years. " 45, Yes; 42, No

### B. ISSUES AND CONCERNS

The questions or issues addressed most frequently (in priority order):

1. Jewish Medical Ethics (Halachic Questions) 80%
2. Treatment Decisions and/or Withdrawal of Treatment 77%
3. Family Decision Conflicts and/or Medical Dispute Mediation 68%
4. DNR/DNI Issues 66%
5. Nutrition and/or Hydration 62%
6. Reproductive, Genetic, and/or Abortion Issues 32%
7. Other Issues 12%

### C. NAJC BIOETHICS PROGRAMMING OPTIONS

1. Chaplains interested in the availability of ongoing educational programming 86%
2. Chaplains interested in the availability of professional **Jewish** resources 99%
3. The most helpful ways to gain a better understanding of Jewish bioethics are (in priority order);

1. Written Jewish Literature 71%
2. Professional Consultation 47%
3. Thematic Workshops 43%
4. Formal Lectures 42%
5. Small Group Discussions . 37%
6. Video Presentations 26%
7. Other 8%

### NAJC BIOETHICS COMMITTEE BIOETHICS SURVEY

NAME: \_\_\_\_\_

### **A. BACKGROUND INFORMATION**

1. My chaplaincy setting is: Acute Care \_\_\_ LTC \_\_\_ Hospice \_\_\_ Mental Health \_\_\_ Community \_\_\_ Corrections \_\_\_  
Other \_\_\_ (specify) \_\_\_\_\_
2. I am employed at the institution where I work, \_\_\_  
Other \_\_\_ (specify) \_\_\_\_\_
3. My current chaplaincy position is: F/T \_\_\_ P/T (>20hrs) \_\_\_ P/T (<20hrs) \_\_\_ Retired
4. I am a professional chaplain for \_\_\_ years. / I am a volunteer chaplain for \_\_\_ years.
5. My chaplaincy setting includes a Palliative Care Team. \_\_\_(Y) \_\_\_(N)
6. My experience in bioethics:
  - a. I serve on an organization or facility Bioethics Committee or Forum \_\_\_
  - b. I am consulted by: Patients/Residents \_ Families \_ Staff \_ Admin. \_ Other: \_\_\_
  - c. I serve as a community resource on bioethical issues (lecture, advise local clergy, publish)
  - d. I serve as a consultant/resource on bioethical issues in other ways, (please describe):
  - e. My training in bio-ethics is: \_\_\_formal \_\_\_informal (specify): \_\_\_\_\_ f. I have not participated in bioethics issues thus far because

### **B. ISSUES AND CONCERNS**

The questions or issues I address most frequently are: \_\_\_\_\_ (List on a scale of frequency from 1-5)

1. Nutrition and/or Hydration: \_\_\_
2. Treatment Decisions and/or Withdrawal of Treatment questions: \_\_\_
3. DNR/DN! issues: \_\_\_
4. Jewish Medical Ethics (*Halachic* Questions): \_\_\_
5. Family Decision Conflicts and/or Medical Dispute Mediation: \_\_\_
6. Reproductive, Genetic, and/or Abortion issues: \_\_\_
7. Other issues: \_\_\_ (specify): \_\_\_\_\_

### **C. NAJC BIOETHICS PROGRAMMING OPTIONS**

1. I would be interested in the availability of ongoing educational programming to better prepare me for addressing bioethical issues and concerns: \_\_\_ (Y) \_\_\_ (N)
2. I would be interested in the availability of professional Jewish resources to better inform me regarding bioethics and/or halachic questions: ' \_\_\_ (Y) \_\_\_ (N)
3. The most helpful ways for me to gain a better understanding and knowledge of Jewish bioethics information would be in the following forms:
  - a. \_\_\_ small group discussions
  - b. \_\_\_ formal lectures (email, consult service, etc)
  - c. \_\_\_ thematic workshops
  - d. \_\_\_ written Judaic literature
  - e. \_\_\_ professional consultation
  - f. \_\_\_ video presentations
  - g. \_\_\_ other (please describe):
4. The areas of greatest concern to me in Jewish bioethics are: \_\_\_\_\_ and \_\_\_\_\_

*Thank you for taking the time to participate in this most important survey.*

**General Readings:**

*Medical Ethics*, Thomasrna

*On Mora/ Medicine*, Lamners and Verhey

*Drawing the Line*, Gorovitz

*Core Competencies for Health-care Ethics Consultation: the Report of the SHHVC-SBC Task Force for Bio-ethics Consultation*, (URL available from Lowell Kronick)

**Journals:**

*Assia* (English edition -- Schlesinger Institute, Jerusalem)

*Hastings Center Report*

*Journal of Bioethics*

*Journal of Law, Medicine and Ethics*

*Kennedy Institute of Ethics Journal*

**Jewish Bioethics Websites:**

<http://www.aecpm-shul.com/medlinks.html>

<http://www.szm.org.il/index.asp?id=94>

<http://www.jiaw.com/Articles/>

<http://www.us-israel.org/lsource/Judaism/medtoc.html>

**General Bioethics Websites:**

<http://www.bio.org/links/bioethics-asp>

<http://www.unc.edu/cefi/file5/bioethics/links.html>

<http://www.ncbi.nlm.nih.gov/entrez/ouerv.fcgi>

<http://www.nih.gov/sigs/bioethics/>

<http://www.georgetown.edu/research/nrcbi/nbac/>

<http://www.georgetown.edu/research/nrcbi/>

<http://www.cddc.vt.edu/choices/2000/websites.htm>

<http://lib.law.washington.edu/ref/beqend.htm>

<http://www.library.ualberta.ca/subject/bioethics/websites/index.htm>

**HALACHIC BIOETHICS BIBLIOGRAPHY**

Compiled by Rabbi Eddie Reichman, MD

Abraham S. Abraham, *Nishmat Avraham*, vol. 1: Orach Chaim (Artscroll/ Mesorah Publications, Brooklyn, NY, 2000)

Abraham S. Abraham, *Halachot for the Physician for Sabbath and Festivals* (1990: Feldheim Publishers, Spring Valley, NY)

Abraham S. Abraham, *The Comprehensive Guide to Medical Halachah* (Feldheim Publishers, Spring Valley, New York, 1990)

Abraham S. Abraham, *Lev Avraham*, 2 volumes (Feldheim, Jerusalem, 5737 and 5738) halacha for the choleh and those who attend to him. (Hebrew)

Abraham S. Abraham, *Nishmat Avraham* - six volumes (Schlesinger Institute, Jerusalem 5744-5760) medical halakhic essays arranged according to the *simanim* in *Shulchan Arukh*. The sixth volume is an index to the previous five volumes. (Hebrew)

*Assia* - Eight volumes of collected essays from the Hebrew language periodical on medical halakha from the Schlesinger Institute.

*Ateret Shlomo* (Hebrew) - Seven volumes devoted to the memory of Rabbi Auerbach which contain essays on science and medicine and halakha.

Rabbi J. David Bleich, *Judaism and Healing* (1981: Ktav Publishing House, Inc., Hoboken, NJ)

Rabbi J. David Bleich, *Time of Death* (1991: 2. Berman Books, Brooklyn, NY)

David Bleich, *Bioethics! Dilemmas: A Jewish Perspective* (Ktav, 1998)

David Bleich, *BiNitivot haHalakha*, v.3 (Kuntres haRefuah), (Ktav, 2000) (Hebrew) Reuven Bulka, *Judaism on Illness and Suffering* (Jason Aronson, 1998) Michael Chizkiya, *Refuat haShabbat* (Hebrew) (Bnei Brak, 5757)

R' Yaakov Eisenbach, *Vachai Bahem: Dinei Refuah biShabbat* (Direi Emet Publications, Kiryat Sefer, 5761) 242 pgs. (Hebrew)

*Emek Halakhah* -1 volumes of medical halakhic essays from the Schlesinger Institute. Volume 1- M. Halperin, ed., 1985; volume 2, A. Steinberg, ed., 1989 (Hebrew)

Feldman, D.M. and Rosner, F. (Editors) *Compendium of Medical Ethics*, New York. Federation of Jewish Philanthropies. 6th edition. 1984. X and 149pp.

David M. Feldman, *Birth Control in Jewish Law, Marital Relations, Contraception and Abortion as set forth in the classic texts of Jewish Law*. New York, New York University Press, 1968, XIII and 322 pages.

David Feldman, *Birth Control in Jewish Law: Marital Relations, Contraception, and Abortion as set forth in the classic texts of Jewish Law* - 3rd edition - with Epilogue 1995 (New York, 1995)

E. Feldman and J. Wotowwelsky, eds., *Jewish Law and the New Reproductive Technologies* (1997)

Avraham Yaakov Finkel, *In My Flesh I See God: A Treasury of Rabbinic Insights into Human Anatomy* (Jason Aronson, inc., Northvale, NJ, ?year)

Loius Fiancbarri, *"And You Shall Live By Them": Contemporary Jewish Approaches to Medical Ethics* (Mirkov Publications, 2001)

Isaac Franck (Editor). *Biomedical Ethics in Perspective of Jewish Teaching and Tradition. Proceedings of an Academic Conference*. Washington, D.C., College of Jewish Studies, 1980, 11 and 60 pages.

Benjamin Freedman, *Duty and Healing: Foundations of a Jewish Bioethic* (Routledge Publishers, 1999)

Avraham Freidlander, *Chasdei Avraham, vol. 1* (Brooklyn, NY Hakulmus, 1994) treatise on halakhot relating to the hospitalized patient (Hebrew)

Avraham Freidlander, *Chasdei Avraham, vol. 2* (Brooklyn, NY Hakulmus, 1999) treatise on halakhot relating to the hospitalized patient (Hebrew)

Gad Freudenthal, ed., *AIDS in Jewish Thought and Law* (August 1998) Ktav

Baruch Pinchas Goldberg, *Penai Barukh* - The halakhos of bikur cholim. (self publication, Jerusalem, 5745) includes *Ohet Ghana*, a collection of letters by Rabbis Weiss, Auerbach, Waldenberg, and others, commenting on the text of the book. 218 pgs. (Hebrew)

Avraham Yaakov Goldmintz, *Chen Moshe* (self publication, Jerusalem, 5762) - on medical care/treatment of one's parents and the prohibition of chavalah. includes an appendix, Kuntres Chayai Refuah, on halachos for the patient and the physician. 200 pgs. (Hebrew)

Aaron Goldring, *Vachai Bahem: pikuakh nefesh hadocheh shabbat v'yom tov* (Brooklyn, 1992), 99 pgs. (Hebrew)

Aaron Goldring, *Ubacharta Bachaim* (???) (Hebrew)

Richard V. Grazi, ed., *Be Fruitful and Multiply* (1994: Genesis Jerusalem Press, distributed by Feldheim)

Donald Gribetz and Moshe D. Tendler. *Medical Ethics: The Jewish Point of View* from the Page and William Black Post-Graduate School of Medicine. *The Mount Sinai Journal of Medicine*, volume 51, Number 1, Jan-Feb 1984, VI and 120 pages. Soft cover. Special issue of the Mount Sinai Journal of Medicine devoted entirely to Jewish Medical Ethics.

R. Levi Yizchak Halpern, *Ma'aseh Choshev*, volumes 3 and 4 (also titled *Inyanei Refuah biHalakha* volumes 1 and 2 (Institute of Technology and Halakhah, 5757) (Hebrew)

Halperin and D. Fink (Edits.). *The Proceedings of the First International Colloquium on Medicine, Ethics, and Jewish Law*, Jerusalem, Schlesinger Institute at the Shaare Zedek Medical Center, 1996, 341 pages.  
*HaRefuah L'Or haHalakha*, vol. 1 (Machon i'Cheker haRefuah v'Halakha, Jerusalem, ???) ??? topics

*HaRefuah L'Or haHaiakha*, vol. 2 (Machon I'Cheker haRefuah v'Haiakha, Jerusalem, 5743) three sections- autopsy, organ transplants, human experimentation

*HaRefuah L'Or haHaiakha*, vol. 3 (Machon I'Cheker haRefuah v'Halakha, Jerusalem, 5744) two sections- bikur cholim and birkat hagomel for a choleh

*HaRefuah L'Or haHaiakha*, vol. 4 (Machon I'Cheker haRefuah v'Halakha, Jerusalem, 5745) two sections- hatzalah v'sakanah (rescue and the definition of danger) in halakha and suicide

Basil Herring, *Jewish Ethics and Halacha for Our Time: Sources and Commentary*, 2 volumes (1984: Volume 1; 1989: Volume 2) Ktav Publishing House, Hoboken, NJ

R' Moshe Hershler, ed., *Halakha U'Refuah*, 5 volumes (Regensberg Institute, Jerusalem, 1980, 1981, 1983, 1985, 1987) (Hebrew)

Hoffmann, Roald and Schmidt, Shira Leibowitz, *Old Wine, New Flasks: Reflections on science and Jewish tradition* (New York : W.H. Freeman, c1997) xii, 362 p.

Ronald H. Isaacs, *Judaism, Medicine and Healing* (Jason Aronson, 1998)

Immanuel Jakobovits, *Jewish Medical Ethics. A Comparative and Historical Study of the Jewish Religious Attitude to Medicine and its practice*. New York, Bloch Publishers, 1959, XLII and 389 pages.

Lord Immanuel Jakobovits, *Jewish Medical Ethics* ("97 5: Bloch Publishing Company, Inc., New York)

Immanuel Jakobovits, *Jewish Medical Ethics: A Comparative and Historical Study of the Jewish Religious Attitude of Medicine and Practice* (Bloch Publishers, 1997)

- Immanuel Jakobovits (? author Nisson Shulman), *Dear Chief Rabbi: From the correspondence on Chief Rabbi Immanuel Jakobovits on matters of Jewish law, ethics and controversial issues, 1930-1990* (1994: Ktav Publishing House, Hoboken, NJ)
- Judah Landa, *Torah and Science* (1991: Ktav Publishing House, Hoboken, NJ)
- Mordechai Koenigsberg, *Halacha and Medicine Today* (Feldheim, 1998) translation and expansion of selected essays from Rav Hershter's *Halacha U'Refuah*, with some additional essays.
- Simcha Bunim Lazerson, *Mishnat Chayai Sha'ah* (self publication, Jerusalem, 5754) 261 pgs. discusses the definition of death and organ transplantation in halakha. (Hebrew)
- Aaron Levine, *Zichron Meir al Aveilut v'Inyanai Refuah v'Choli* (Zichron Meir Publications, Willowdale, Ontario, 1985) (Hebrew)
- Faitel Levin, *Halacha, Medical Science and Technology* (New York, Moznaim Publishers, 1987) VIII and 210 pages.
- Levi Meier, ed., *Jewish Values in Bioethics* (New York, N.Y. : Human Sciences Press, 1986)195 p.
- Levi Meier, Ed., *Jewish Values in Health and Medicine* (Lanham, Maryland, University Press of America, 1991)XVII and 201 pages.
- Charles S. Naiman, *Proceedings of the Association of Orthodox Jewish Scientists* 8-9(Sepher-Hermon Press, New York, 1987).
- Yosef Oppenheimer, *Rofeh Yisrael* - halachos relating to physicians and the practice of medicine (Machon iiCheker haRefuah biHalakha, Jerusalem, 5748), 231 pgs. (Hebrew)
- Chaim Povarsky (Edit). *Symposium on Ethical Dilemmas Regarding HIVpatients and caregivers*. Huntington, NY, Institute of Jewish Law, *Jewish Law Report*, April 1995, 40 pages.
- Chaim Povarsky (Edit). *Symposium on The Tyranny of Knowledge: The Genome Project* Huntington, NY, Institute of Jewish Law, *Jewish Law Report*, Dec. 1996,48 pages.
- Ravitz, *Kilayot Yo'atzot* (self publication, 75761) - case of a man who needed a kidney transplant and his five sons all wanted to be donors, addresses the halakhic issues of which son merits the mitzva to donate. 79 pgs. (Hebrew)
- Peltie, Roodyn, Ed., *Pathways in Medicine: A journal of topics in medicine in the spirit of halacha and Jewish thought* (Jason Aronson, Inc., Northvale, NJ, ? year)
- Rosner, F. *Modern Medicine & Jewish Law*. (Studies in Torah Judaism) New York. Yeshiva University Press, 1972, 216pp. Second Printing. New York. Bloch Publishers 1975,216pp. (Reprinted 1978 and 1982).
- Rosner, F. (Editor) *Proceedings of the Association of Orthodox Jewish Scientists*. New York. Vol. 3-4. Feldheim 1976, 239pp.
- Rosner, F. *Medicine in the Bible and the Talmud*. New York, Ktav and Yeshiva Univ. Press, 1977, XIII and 247 pp., 2nd augmented edition, 1995.
- Rosner F. (Trans. and Edit.) *Julius Preuss' Biblical-Talmudic Medicine*. New York, Sanhedrin Press-" -" Division of Hebrew Pub., Co. 1978, XXXIV and 688 pp. (Reprinted 1982). Reprinted by Jason Aronson, Inc., Northvale, NJ, 1993.
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- Rosner F. & Bleich, J.D. *Jewish Bioethics*. New York, Sanhedrin Press (Hebrew Publishing Co.), 1979, XIX and 424 pp. (Reprinted 1982, 1983 and 1985).
- Rosner, F. & Tandler, M.D. *Practical Medical HaSachah*, New York. Feldheim, 1980, 141 pp. Reprinted by Jason Aronson, Northvale, N.J. 1997.

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- Rosner, F. And Tendler, M.D. *Practical Medical Halachah*. 3rd revised ed. Hoboken, New Jersey, Association of Orthodox Jewish Scientists and Ktav Publishers, 1990, 191pp.
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- Rosner, F. and Kottek, S. (Editors) *Moses Maimonides: Physician, Scientist and Philosopher*. 1993, Northvale, New Jersey, Jason Aronson Inc., 283pp.
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- Rosner, F. The *Medical Legacy of Moses Maimonides*, Hoboken, New Jersey, Ktav, 1998, XII and 308pp.
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- Rosner F and Bleich JD (Editors), *Jewish Bioethics*, Augmented Edition, Hoboken, NJ, Ktav, 2000, XXIII and 455 pp.
- Rosner F. *Encyclopedia of Medicine in the Bible and the Talmud*, Northvale, N.J., Jason Aronson Inc. 2000, XXXIV and 361 pp.
- Fred Rosner, *Biomedical Ethics and Jewish Law* (Hoboken, NJ: Ktav, 2001) ^"
- Rabbi Tsvi G. Schur^ *illness and Coping the Jewish Way* (1987: National Conference of Synagogue Youth (NCSY), New York City)
- Rabbi Yigal Shafran, *A Lack of Authority: On the Borders of Life and Death* {Religious Council of Jerusalem, Department of Medicine and Halacha, Jerusalem, 5754. This volume is intended to supplement a video discussing a case of a brain dead pregnant woman, and whether halakha would allow a caesarean section in this case.
- Rabbi Yigal Shafran, *Compelling Issues: Involuntary Treatment of Parents* (Religious Council of Jerusalem, Department of Medicine and Halacha, Jerusalem, 5754.
- Ntsson E. Shulman (Edit). *Yearbook of The Centre for Medical Ethics. Jews' College, London; London, Jews' College*, vol 1, 1993, 184 pages.
- Nisson E. Shulman, *Jewish Answers to Medical Ethics Questions: Questions and Answers from the Medical Ethics Department of the Office of the Chief Rabbi of Great Britain* (Jason Aronson, 1998)
- Daniel B. Sinclair, *Tradition and the Biological Revolution: The Application of Jewish Law and the Treatment of the Critically Ill* (Edinburgh Univ Press, 1989)
- Rabbi Menachem Slae, *Smoking and Damage to Health in Halacha* (1990: Acharai Publications, Jerusalem; distributed by Feldheim)
- Binyomin Sokol, *Halakha and Medicine: A Physician's Manual - Hilchot Shabbat* (Regensberg Institute, Jerusalem, 1986)
- Avraham Steinberg, ed., David B. Simons, trans., *Jewish Medical Law* (Gefen Publishing, Jerusalem, 1980)- compiled and edited from the responsa in Tzitz Eliezer relating to medicine.

Abraham Steinberg, *Encyclopedia Hkhkhatit Refuit*, 6 volumes (Schiesinger Institute, Jerusalem, 1988-1998) (Hebrew) - six volume encyclopedia with essays arranged alphabetically according to topic, covering the gamut of medical halakhic issues.

Avraham Steinberg, ed., *European Colloquium on Jewish Medical Ethics* (1989: Magnes Press of Hebrew University)

Joseph B. Stern, Ed., *Jewish Ethics in Medicine, Historical Perspectives and Contemporary Concerns*. Source Book of Major Documents, Notes and Bibliography, Brookline, Mass, Hebrew College and Milender Institute of Jewish Ethics 1982, 154 pages.

Moshe Dovid Tendler, *Responsa of Rav Moshe Feinstein: Care of the Critically HI (Klav)*, 1996)

Rabbi Moshe Tendler, *Pardes Rimonim: A manual for the Jewish family* (1988: Ktav Publishing House, Hoboken, NJ)

University of Toledo Law Review. Vol 29, Number 3, Spring 1998, pages 409-483. Issue devoted to Jewish Medical Ethics.

*VeRapo Y'rapei: Zichron Yeshaya* (Hebrew) - collection of medical halakhic essays in memory of Dr. Yeshayahu Levi (? author, ? publisher, 1989)

Miryam Z. Wahrman, *Brave New Judaism* (Brandeis University Press, 2002)

Yaakov Weiner, *Rapo Yerapei: Ye Shal! Surely Heal* (Jerusalem Center for Research, 1995)

David W. Weiss, *The Wings of a Dove* (1987: B'nai B'rith Books, Washington, D.C.)

Yehoshua Zev Zand, *Birchat Banim* (Machon Haiakha uRefuah of Ma'aynai Hayeshua Hospital, Jerusalem, 5754) (Hebrew) - treatise on issues relating to reproduction, including abortion, adoption and forms of assisted reproduction.

R' Yitchak Zilberstein, *Toraf haYoledet* (Machon Halakha uRefuah of Ma'aynai Hayeshua Hospital, Bnei Brak, 1983) laws of pregnancy and childbirth. (Hebrew)

R' Yitchak Zilberstein, *Shoshanat haAmakim* (Kollel Halakha uRefuah of Ma'aynai Hayeshua Hospital, Bnei Brak, 5759-1999) (Hebrew)

R. Yizchak Zilberstein, *Shabbat Shabbaton* (Self publication, Bnei Brak, 5757) 324 pgs. (Hebrew) the halakhic aspect of fasting and medical treatment on Yom Kippur.

## NAJC BIOETHICS REPORT SYLLABUS FOR JEWISH BIOMEDICAL ETHICS (RRA)

David A. Teutsch Spring 2003

This introduction to Jewish approaches to health, medicine, and medical research will provide an overview of the major issues in biomedical ethics, and help students to formulate Jewishly based positions regarding these issues.

### **Outcomes for students should include:**

1. Knowledge of basic approaches to biomedical ethics;
2. Capacity to do research and formulate a substantial Jewish approach to biomedical issues.
3. Ability to analyze moral arguments concerning these issues and to evaluate them.

### **Requirements for the class include:**

1. Completing the assigned reading before class.
2. Active participation in class discussion.
3. Writing a paper on one of the topics covered by the course. The paper will lay out the issue, explore alternative approaches to it based at least in part on halakha and other Jewish resources, and argue for a particular approach. The paper should be written so that it is accessible and helpful to a lay reader facing a similar decision.

### **Background**

Over the last few decades, there has been explosive growth of interest in biomedical ethics. The field of Jewish biomedical ethics has developed into a substantial discipline of its own since the publication of Immanuel Jakobovits's *Jewish Medical Ethics* (1959,1975), the first major work in the field. Therefore the readings selected for this course must be viewed as samples of a large and evolving literature that were selected for their usefulness in developing students' views. The readings are never exhaustive and not always representative of all Jewish opinions on each issue. The secular literature is too large to summarize here, but particular note should be taken of Hastings Center publications, which have played a major role in the field.

The instructor can be reached either in his office in the library building (x253; [dteutsch@rrc.edu](mailto:dteutsch@rrc.edu)) or at home (215-438-6836/3936). I will be happy to chat with you on the fly or to schedule an appointment.

Books that will appear repeatedly in the weekly readings below include:

AIMBK Arthur Caplan, *Am I My Brother's Keeper?* (Indiana University Press, 1997)

AiJB Noam Zohar, *Alternatives in Jewish Bioethics* (SUNY Press, 1997)

BCIJL David Feldman, *Birth Control in Jewish Law* (Jason Aronson, 1998)

BE Thomas A, Mappes & David DeGrazia, *Biomedical Ethics* Fifth Edition (McGraw Hill, 2001)

BH *Behoref Hayamim: A Values-Based Guide for Decision Making at the End of Life* (RRC Press, 2002)

FATB Rosemarie Tong, *Feminist Approaches to Bioethics* (Westview Press, 1997),

MOLAD Elliot Dorff, *Matters of Life and Death* (Jewish Publication Society, 1998)

M&JL Fred Rosner, *Medicine and Jewish Law* Vols. 1 & 2 (Jason Aronson, 1993)

It is strongly recommended that Dorff's MOLAD and Mappes and DeGrazia's BE be purchased. BH and other RRC Ethics Center publications will be made available by the instructor. Other readings (asterisked below) will be in the electronic packet.

### **Seminar Topics and Readings**

Session One: Approaches to Moral Philosophy, Halakha and Ethics Dorff, MOLAD, 1-13, 395-417

\*Zohar, AiJB, 1-12 Teutsch inBH, 3-11

\*Tong, FATB, 37-52, 75-98

Mappes, BE 1-50

Benjamin Freedman, *Duty and Healing* (Routledge, 1999)

Jeffrey Stout, *Ethics after Babe!* (Beacon, 1988)

Session Two: Jewish Attitudes toward Medicine, Science, and Preventive Healthcare Dorff, MOLAD, 14-33, 245-254, 270-274

\*Zohar, AiJB, 19-36

Session Three: The Patient-Physician Relationship, Truth-telling, and Informed Consent

Bill Kavesh and Paul Wolpe in BH, pp. 12-39

Dawn Rose and Mona Decker, "The Ethics of Truth Telling and Disclosure of Terminal Illness to Patients and their Family Members," (Center for Jewish Ethics Study Guide, 2001 }

\*David Bleich, "A Physician's Obligation with Regard to Disclosure of information" Rosner, M&JL Vol. 1, pp. 31-63

Mappes, BE 56-221

Session Four: Birth Control

Dorff, MOLAD, 116-127 Teldman, BCIJL, 60-248

\*Moshe Tendler, "Contraception and Abortion," in Rosner, MAJL Vol.1, 105-117

\*Tong, FATB, 110-124

Session Five: Genetic Testing; Autopsy; Organ Donation

Dorff, MOLAD, 151-164, 224-239

Long, FATB, 129-155, 231-242

Session Six: Abortion

Teldman, BCIJL, 251-294 Dorff, MOLAD.128-133

Moshe Tendler, "Abortion and Its Technologies" in Rosner, MAJL Vol. 1, 117-120

Mappes, BE, 446-526

Session Seven: Infertility and Artificial Insemination

\*Zohar, AiJB, 69-84 Dorff, MOLAD, 37-115 "Caplan, AIMBK, 3-21, 194-210 Mappes, BE, 527-560

\*Tong, FATB, 162-173, 181-186, 199-212

Session Eight: Chronic illness, Long-term Care, Healing and Hospice

Dorff, MOLAD, 193-195, 218-220, 255-264

Kavesh, Wolpe, Segai, Klotz and Eilberg in BH, 40-133

Dawn Rose and Mychal Ros'enbaum, "Care of Elder Parents— A Perspective from Jewish Ethics" (RRC Center for Jewish Ethics Study Guide)

Session Nine: Preparing for Death, Defining Death, Ending Life

Dorff, MOLAD, 167-180, 198-218

\*Zohar, AiJB, 37^54

Yaakov Friedman, "Defining a Goses" in Rosner, MAJL Vol. 2, 105-115

Abraham Steinberg, "The Defective Newborn—

Halakhic Considerations" in Rosner, MAJL Vol. 2, 121-132

Mappes, BE, 299-365

Session Ten: Active Euthanasia and Suicide

Dorff, MOLAD, 180-193, 195-198

Wolpe in BH, 134-147

Zohar, AiJB, 54-62

Abraham S. Abraham, "Euthanasia" in Rosner, MAJL Vol. 1, 123-136

Mappes, BE, 381-443

Session Eleven: Mental Illness

Dorff, MOLAD, 264-267

\*Nora Smith, "Psychiatric issues Facing the Practicing Physician" and Moshe Tendler, "The Halachic Import of the Psychological State" in Rosner, MAJL Vol. 2, 59-75.

Session Twelve: Human and Animal Experimentation

Dorff, MOLAD, 239-241, 310-324

Zohar, AiJB, 123-141

\*J. David Bleich, "Using Data Obtained through immoral Experimentation" in Rosner, MAJL Vol. 2, 144-162

Caplan, AIMBK, 22-49, 211-218

Mappes, BE, 223-295, 561-594

Session Thirteen: Healthcare Resource Distribution and Insurance

Dorff, MOLAD, 274-310

\*Zohar, AiJB, 99-121, 143-152

\*Caplan, AIMBK, 95-126,136-180 Mappes, BE, 593-677