

PHL 141A – Jewish Medical Ethics  
Fall 2016, Sunday/Wednesday/Thursday  
Time: 15:45 – 16:35  
3 credits

Instructor: Dr. Avi Marcovitz  
Email: avimarcovitz@gmail.com  
Phone: 050-300-7232

### **Objectives:**

This course will provide an introduction to Jewish biomedical ethics through an examination of a number of contemporary issues, preceded by an introduction to Jewish Law and tradition, and an overview of some of the most prominent theories about the nature of morality. Students will explore both halachic and philosophical approaches to the moral issues at the beginning and end of life, as well physicians' responsibilities, organ donation, and the distribution of health care.

The objectives of this course are that you acquire:

1. Knowledge of core concepts within Judaism relating to the body and medicine.
2. Knowledge of the issues and alternative ways of responding to those issues with regard to the specific bioethical topics we cover as they have been discussed in the general literature and in Jewish contexts.
3. The skills to consider moral dilemmas within a thoughtful, philosophical approach in part informed by traditional and contemporary Jewish texts and sources.

### **Requirements:**

1. Attendance, preparation and participation in class. Students are expected to attend all classes, to read the assigned material prior to class, and actively participate. (20%)
2. Each student will be required to offer an introduction to one class discussion. The introduction should highlight a few of the most important or interesting issues raised in the readings for that topic, and suggest one or two questions to discuss. (10%)
3. A take-home mid-term examination which will include one essay question requiring research beyond the material presented in class (30%)
4. A final examination (40%)

**Attendance is mandatory for all class sessions.**

### **Resources:**

Each student will receive a sourcebook with all the required readings. In addition, a collection of books and resources on Jewish Medical Ethics are available from the instructor and students may choose to visit the library at Hebrew Union College (on King David Street) in order to find appropriate English books. Several websites are also recommended:

[www.rabbinicalassembly.org](http://www.rabbinicalassembly.org) – click on “Contemporary Halakhah”

[www.responsafortoday.com/eng\\_index.html](http://www.responsafortoday.com/eng_index.html) - click on “Va’ad Ha’Halakhah – English Summaries”

[www.ccarnet.org](http://www.ccarnet.org) – click on “Responsa”

[www.medethics.org.il](http://www.medethics.org.il)

### **Topics and Readings:**

#### Classes 1-6

- I. Introduction to Jewish Medical Ethics
  - a. Why Study Ethics?
  - b. Morality – Basic Moral Orientations and Basic Questions in Approaching Morality  
Why should I be moral? How do I know what is moral in a specific situation? Are moral rules absolute and universal, or do they vary according to the particular person, time and place? How

do moral rules differ from legal rules? Is morality about rules in the first place, or is it more properly conceived as a matter of a person's or community's character, or what constitutes a caring act in the specific case? Alternatively, is morality best conceived as providing moral guidelines that issue from considering and comparing specific cases?

- c. Jewish Law and Halacha
- d. Overview of Jewish Medical Ethics
- e. Fundamental Beliefs Underlying Jewish Medical Ethics

- Kellner, Menachem Marc. "The Structure of Jewish Ethics." *Contemporary Jewish Ethics and Morality: A Reader*. Ed. Elliot N. Dorff & Louis E. Newman. New York: Oxford, 1995. pp. 12-23
- Ellenson, David H. "How to Draw Guidance from a Heritage: Jewish Approaches to Mortal Choices." *Contemporary Jewish Ethics and Morality: A Reader*. Ed. Elliot N. Dorff & Louis E. Newman. New York: Oxford, 1995. pp. 129-139
- Dorff, Elliot N., "Fundamental Beliefs Underlying Jewish Medical Ethics." *Matters of Life and Death: A Jewish Approach to Modern Medical Ethics*. Philadelphia and Jerusalem: Jewish Publication Society, 1998, pp. 14-33

#### Classes 7-11

##### II. Physicians' Responsibilities

- "Principles of Medical Ethics," <http://www.ama-assn.org> - American Medical Association
- Simon, James L., Zwerin, Raymond A., and Marcus, Audrey Friedman, "The Oath of Hippocrates," and "The Medical Oath of Maimondes," *Bioethics: A Jewish View (A Student Manual)*, Denver: A. R. E. Publishing, 1984. pp. 21
- Rosner, Fred. "Physicians' Stikes and Jewish Law." Ed. Cohen. Alfred S. *Journal of Halacha and Contemporary Society, Number XXV*, Staten Island: Rabbi Jacob Joseph School, 1993. pp. 37-48
- Herrings, Basil F. "Truth and the Dying Patient." *Jewish Ethics and Halakhah for Our Time*. New York: Ktav, 1984. pp. 47-66

#### Classes 12-20

##### III. The End of Life

- a. Preparing for Death: Living Wills – From the Perspective of Orthodox, Conservative, and Reform
- b. Defining Death
- c. Euthanasia and Suicide

- Dorff, Elliot N., "Preparing for Death." *Matters of Life and Death: A Jewish Approach to Modern Medical Ethics*. Philadelphia and Jerusalem: Jewish Publication Society, 1998, pp. 167-175
- "The Halachic Living Will," Agudath Israel of America
- "Jewish Medical Directives for Health Care," The Committee on Jewish Law and Standards, The Rabbinical Assembly
- "Living Will," <http://www.ccarnet.org/resp>
- Herring, Basil F. "Euthanasia." *Jewish Ethics and Halakhah for Our Time*. New York: Ktav, 1984. pp. 67-90

#### Class 21 – Midterm Exam

#### Class 22-31

##### IV. The Beginning of Life

- a. When Does Life Begin?
- b. Abortion
- c. Reproductive Technologies

- "When Does Human Life Begin?" <http://zygote.swarthmore.edu/intro5.html>

- Herring, Basil F. “Abortion.” *Jewish Ethics and Halakhah for Our Time*. New York: Ktav, 1984. pp. 25-45
- Lubarsky, Sandra B. “Judaism and the Justification of Abortion for Nonmedical Reasons.” *Contemporary Jewish Ethics and Morality: A Reader*. Ed. Elliot N. Dorff & Louis E. Newman. New York: Oxford, 1995. pp. 392-402
- Dorff, Elliot N., “Having Children Using Donated Genetic Materials.” *Matters of Life and Death: A Jewish Approach to Modern Medical Ethics*. Philadelphia and Jerusalem: Jewish Publication Society, 1998, pp. 66-107

#### Classes 32-40

##### V. Organ Donation

- “An Introduction to Organ Transplantation,” ASSIA – Jewish Medical Ethics, Vol. III, No. 1, January 1997, p.5-6
- “Heart Transplants in Israel,” Decision of the Chief Rabbinate Council of Israel
- “Radical Way to Boost Organ Donation.” Associated Press: YNet.com, March 17, 2010.

#### Classes 41-44

##### VI. Medicine, Halacha, and Israeli Law

- a. Case Studies
- b. Visit to the Schlesinger Institute for Medical-Halachic Research at Shaare Zedek Hospital