

Rabbis: New life-support tech 'murder'

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Matthew Wagner , THE JERUSALEM POST

A technology soon to be introduced in local hospitals that automatically turns off life-support systems at the request of terminally ill patients has been denounced by a prominent group of rabbis as a desecration of God's name.

The technology is "tantamount to murder," according to the rabbis, who are aligned with the Ashkenazi haredi community's most respected living halachic authority, Rabbi Yosef Shalom Elyashiv.

"If the Health Ministry goes ahead with its plans to implement a technology that shortens the lives of terminally ill patients, the nations of the world will say that Judaism condones transgressing one of the Ten Commandments - Thou Shalt not Kill," Rabbi Ya'acov Weiner said last week. "That would be a terrible desecration of God's name."

Weiner, who heads the Jerusalem Center for Research, Medicine and Halacha, made the comments at a conference on Jewish medical ethics, organized by the center for the past 11 years, that brings together religious doctors and Halacha experts.

Weiner and other rabbis who spoke at the conference, including a senior representative of Elyashiv, said the Terminally Ill Patient Law, approved by the Knesset in 2006, contradicted Jewish law.

They specifically targeted a technology condoned in the new law that allows a terminally ill patient to choose to be connected to a ventilator that is automatically turned off by a timer at a future date.

The timer ventilator, which is in its last stages of development, will be introduced in hospitals in coming months.

Meanwhile, proponents of the "timer ventilator," including many Orthodox rabbis and doctors, argue that while Jewish law prohibits pulling the plug, it permits refraining from reactivating the ventilator once it has automatically been turned off by the timer.

However, organizers of the conference said that "greatest rabbis of the generation" reject the use of the "timer ventilator."

They said that in addition to Elyashiv, other prominent halachic authorities also opposed it, including Rabbi Moshe Sternbach of the Edah Haredit and Rabbi Zalman Nechemia Goldberg of the High Rabbinic Court.

Rabbi Yehoshua Neuwirth, an author of a definitive book on the laws of Shabbat called *Shmirat Shabbat K'hilchata* (Observing Shabbat's Laws), told a contingent from the

conference who visited his home on Tuesday that use of the "timer ventilator" was "murder," organizers said.

Besides being opposed to a technology that shortens the life of Jews, these rabbis are concerned that secular doctors will not understand the nuances and distinctions made in Jewish law between actively disconnecting a ventilator and connecting a ventilator that will turn off automatically at a later date. They are also afraid that doctors will allow a timer to be connected to the ventilator after the ventilator was activated, which is strictly prohibited according to Jewish law.

"Doctors will reach the conclusion that Jewish law permits cutting short a person's life. And that is simply not true," Weiner said.

"In Judaism life itself has an inherent value, this is true whether or not a person derives enjoyment from that life," he said.

Dr. Leon Zacharowicz, a neurologist from New York and co-founder of the annual conference on Jewish medical ethics, said that from his experience as a physician, Israeli doctors and nurses may not pay attention to the nuances of Jewish law.

"The pernicious influence of futile care theory on contemporary medical practice is dangerous from a Jewish perspective," said Zacharowicz, who helped the family of an 84-year-old Orthodox man named Sam Golubchuk fight

Canadian doctors who recommended removing him from life support. Golubchuk passed away in June, over half a year after doctors pressed, unsuccessfully, to have him disconnected from life support.

"In the Golubchuk case, the doctors who advocated removing him from life support argued that it would be unprofessional to keep him alive and actively tried to end his life.

"Many doctors believe it is in the patient's best interest to hasten his or her death, so I find it hard to imagine them scrupulously following complex Jewish laws that contradict their ethical convictions," Zacharowicz said.

Conspicuously absent from the conference, which took place in Jerusalem's Bayit Vagan neighborhood, were rabbis and religious doctors who support the use of the timer ventilator and had backed the Terminally Ill Patient Law.

Dr. Rabbi Mordechai Halperin, who was a member of the Steinberg Multi-Disciplinary Health Ministry committee that helped prepare the legislation, said many prominent rabbis supported the use of such ventilators. The committee was headed by Prof. Avraham Steinberg, a neurologist and halachic expert.

"Many halachic authorities permit the use of the timer on condition that it is activated before the terminally ill patient is initially connected," Halperin said.

"Once the patient is hooked up to a ventilator without a timer it is forbidden to activate a timer. In the legislation it is

specifically stated that doing so would be a punishable offense.

"The other conditions for allowing the use of the timer are that the patient is in severe pain and that he expressly asks for the option of using the timer," he said.

The spring issue of *Asia*, a journal of Jewish medical ethics, features letters from two prominent rabbis supporting the use of the timer ventilator. One of the letters is from Rabbi Avigdor Nebenzahl, former rabbi of the Old City of Jerusalem.

The other letter is from the same Neuwirth whom the conference organizers had claimed was adamantly opposed to the use of the timer ventilator.

Rabbis who support the use of the timer ventilator argue that it might convince more terminally ill patients to use ventilators to prolong their lives.

These rabbis argue that many terminally ill patients who would otherwise forgo being connected to a ventilator for fear that their lives would be prolonged indefinitely because no one would dare to pull the plug, would be willing to be hooked up to a ventilator that they know will turn off at some future date and can be left off.

However, Weiner and the other organizers of the conference plan to fight the use of the ventilator. One of the options being discussed is enlisting Shas and United Torah Judaism to amend the Terminally Ill Patient Law.

