Jewish Medical Ethics in the Care of the Cancer Patient

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ABSTRACT: The care of the patient with cancer requires the development not only of a medical plan, but an ethical plan as well. This plan should integrate the physician's and the patient's perceptions of medical and ethical propriety. Jewish biomedical ethical principles are based on the teaching of the Old Testament and its various interpretations. In this paper, I discuss how these principles can be used to help guide the physician caring for the patient with cancer. Other ethical systems could be applied in a similar fashion.

Introduction

The care of the patient with cancer by the physician requires the integration of a number of elements: an understanding of the pathophysiology of the illness; its treatment and prognosis; the patient's level of intelligence, education, and comprehension of the illness; the patient's psychological state of mind; and his or her ethnic background. An understanding of the patient's religion or philosophical preference is also useful, since religious beliefs will often influence an individual's acceptance of the illness and its treatment. A physician need not have a religious preference, but the expression of a precise philosophical posture by the physician can help the patient examine his or her own attitude and feelings regarding a specific management issue. A frank discussion with the patient and his family should lead to an agreement regarding medical and ethical management decisions.

Jewish biomedical ethics form part of the broader Judaic-Christian ethical system. Hence, they may well apply to a large number of patients with cancer in the United States. In this paper, I discuss Judaic medical philosophy as a basis for caring for the patient with cancer. I begin with a discussion of the sources of Jewish biomedical ethics, the attitudes of Judaism toward health maintenance, and the role of the physician in the community.

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Sources of Jewish biomedical ethics

Medical decisions are made according to Halakah, a Hebrew word meaning "to go" or "to walk." A more liberal translation is "law." This law is based on the ten commandments and their expansion in the Pentateuch (Five Books of Moses, Old Testament). This basic document has been expanded throughout the centuries by explanations encompassed in the Mishnah and Talmud. These, in turn, stimulated the writing of the Midrash, Rashi's post-Talmudic code, Maimonides' Mishnah Torah, and Karo's Shulchan Aruch.

The development of Jewish biomedical ethics started early in Jewish history. Moses, who led the children of Israel out of Egypt, taught his people proper medical, social, and sexual hygienic practices. Moses Maimonides (1135–1204), both a rabbi and a physician, enumerated 613 commandments for decent living in his Mishnah Torah. Of them, 213 have medical or hygienic implications. Present-day Jewish ethicists have modernized many of the precepts set forth long ago and helped develop a more codified ethical system. Rabbi Immanuel Jakobovits, for example, wrote the first comprehensive book on the subject, Jewish Medical Ethics, originally published in 1959. Rabbi J. David Bleich, Dr. Isaac Franck, and Dr. Fred Rosner are more recent contributors to and compilers of Jewish biomedical thinking. In 1972, Dr. Rosner, Director of Hematology at Queens Hospital in Jamaica, New York, wrote Modern Medicine and Jewish Law, an excellent compendium of applied Jewish bioethics. A sequel to that book was published in 1986.

Attitude of Judaism toward health maintenance

Judaism has always considered that the proper care of the body is very important. There is a rabbinic saying that "physical cleanliness leads to spiritual purity" (Talmud, A. Z. Zoh). The great rabbi Hillel declared that maintenance of the health of the body was a religious duty because the body is God's handiwork and must be treated with reverence. While God may have given us a strong, healthy body at birth, we are responsible for keeping it healthy throughout life. To accomplish this, we are permitted to seek professional medical help if necessary. It is stated in Exodus 21:19, "He . . . shall cause him to be thoroughly healed." The Talmud (Baba Kamma 85a) interprets this phrase to mean that authorization is given to man to heal. In Deuteronomy 22:2 it is declared, "And thou shalt restore it to him." Although the phrase seems to be referring to lost personal property, Maimonides, in his Commentary on the Mishnah (Nedarim 4:4), believes that it also refers to the act of restoring health to a person who is ill and implies that man is to carry out this act.

Since not all men have the knowledge and skill to heal, the role would