

*Re: Proposed legislation on physician aid-in-dying (H.168)*

*Rabbi Ariel Stone – Portland, OR*

Good morning, and thank you for allowing me to offer a few religious insights regarding the issue of hastening death when faced with its immanence. I hope they will be helpful.

I am the Rabbi of a Jewish congregation in Portland, Oregon. In my position I have occasion to counsel both my own congregants and others who turn to me in their struggles with terminal illness. As a Rabbi it is my duty to guide, but not to dictate, the final decision made by those with whom I counsel. If someone chooses to exercise her right under Oregon's aid-in-dying law and she qualifies to use it, I have, and will continue to, offer my full support of that decision, and help as I am able in the realization of that choice. This is my sense of the ethical imperative of my religious tradition.

I would like to briefly share with you my sense of the religious "Culture of Life" as Judaism teaches it. Unlike American law, Jewish legal and wisdom literature speak not of rights, but of the human responsibilities and privileges which flow from our sense that life is a gift to be honored. Two verses set up our dialectic: "choose life" from the book of Deuteronomy, and Ecclesiastes' "there is a time to be born, and a time to die".

1. One of the great purposes of religion is that of helping us to face our own human finitude. We all face death. We are commanded to pass through death as we have passed through life, doing the best we can to uphold the ethical values that give meaning to our lives. Humility is our human value here, not arrogance.
2. Jewish religious values celebrate life but not as an end in itself. Religious writings make it clear that life is meant to be lived as an expression of one's values and sense of meaning. Life is not an absolute value, but a value relative to its meaning.
3. By teaching that we are all equally created as reflections of the Image of God, Jewish religious values teach respect for each individual, including respect for choices made by others with which we do not agree but which are thoughtfully and meaningfully reached.
4. Jewish religious values recognize that we individuals interact in community, and teaches us that we must take great care with each other, and that the world itself depends upon it.
5. Regarding the concern that a successfully applied law could yet be cause for abuse or disrespect of human life: Jewish religious values call it sin when we fail to act for others, hiding behind the fear that something bad might happen when we are invited to act for an ideal; we are called upon not to inflict our fears upon others, but to show courage in our lives and in our own, and each other's, deaths.
6. Jewish religious values teach that our responsibility to each other is to help each other achieve a life of meaning. Since life and death are integrated in an individual's existence, a good death is the best end of a good life. Jewish wisdom

literature interprets the Biblical phrase “you shall love your neighbor as yourself” as meaning “therefore, choose an easy death for him”. Jewish sources absolutely prohibit any act which constitutes an obstacle to the natural process of dying. In modern terms, obstacles to death may include ventilators; they may include feeding tubes; they may include a lack of compassion, or the courage to express it, among those who surround the dying person.

7. Judaism’s prohibition against suicide is ideally observed as a case of *L’hatkilah lo, b’diavad iyn* (“in principle, no; after the fact, yes”) – which is to say that simple compassion for human suffering must always temper the law. The individual’s real life is not sacrificed to the abstract principle. Both the religious leader and the physician have long known this basic ethical ideal.
8. Oregon’s Death with Dignity law reassures those who are nearing death that they need not be afraid, that death can be as good and as meaningful as life. This is a profoundly beautiful expression of the Jewish law that the dying are to be considered for legal purposes *khai l’kol davar*, “like one who is alive for every purpose”. Not less than human, with their choices taken away and their dignity shredded, but worthy of the same respect and capable of wielding the same power over their lives, until their very last moments, as they did in their days of health, as all of us should have the right to do at every juncture of our lives. This, I submit, is what it truly means to “choose life” and to demonstrate the value of life, all the way through human life, and to its end.

The fact that they could choose to end their suffering when the pain of their terminal cancer was beyond control was a great gift of peace to two of my congregants in just the past two years. In both cases, these women had access to the very best available physical, psychological and spiritual support; both women were surrounded by loving family and friends; both entered hospice care in the last weeks of their lives, and, in the end, neither activated their right to ease their deaths under Oregon’s Death with Dignity Act. More profoundly meaningful than the fact that they had a guaranteed way to end their physical pain was the reality that, though the horizons of their lives had narrowed to a bed and a chair, they still had a choice left. Thus they never felt dehumanized by pain or impending death. They each had a good death which naturally followed the ethically good life each had led, and their fellow Oregonians, by helping them to do so, fulfilled the highest religious imperative: they gave these two women the gift of allowing them to choose life, all the way to its compassionate, blessed end.

Thank you again for your time and for your consideration of this important initiative. If there are any questions I will be pleased to respond.

Sincerely,  
Rabbi Ariel Stone