

## **"Are Religion and Modern Bioethics Compatible? The Case of Jewish Law"**

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The defining feature of modern bioethics is, undoubtedly, the principle of patient autonomy, and in that respect, it would appear that the answer to the question posed in the title must be in the negative since Jewish law regards human life as Divine property which may neither be destroyed nor endangered unless it is permitted to do so under Jewish law. The first part of the lecture seeks to demonstrate that this is not quite the case, and that there are circumstances in which patient autonomy plays a legitimate role in Jewish bioethics, although in a weaker form than it does in the Western liberal tradition. The examples discussed in this context are highly risky life-quality improving procedures and the treatment of the terminally ill.

The second part deals with brain death i.e. irreversible cessation of brain stem function as a criterion for establishing death, and the current controversy regarding the use of this criterion in Jewish law. There is a good case to be made for the claim that many of the primary sources on this topic in halakhic literature are heavily informed by ancient and medieval medical science, and the question that arises is the relevance of these sources to modern biomedical halakhah. In attempting to answer this question, reference will be made, inter alia, to Israel's new Respiratory Brain Death Law.