

A Jewish Values-Based Conversation about Advanced Care Directives

Rabbi Lauren Grabelle Herrmann, SAJ-Judaism that Stands for All

There is a well known story in the Talmud that describes the death of Rabbi Yehudah HaNasi, the second century rabbi and redactor of the Mishnah that goes like this:

When Rabbi Yehuda HaNasi was dying, all the rabbis declared a public fast and offered prayers that God have mercy upon him, to heal him, to save him. His maid, whom we presume to be his primary caretaker, went up to the roof of the house and prayed: “The angels want our Rabbi to join them in heaven. But the people want him to remain with them. May it be the will of God that the prayers of the people overpower the angels.” A little while later, she observed how often Rabbi Yehudah HaNasi had to use the bathroom, each time, with pain and suffering, taking off his *tefillin* (phylacteries) and putting them on again. She saw how very difficult his life had become. She went out to pray a second time. This time, she changed her prayer, saying: “May it be the will of God that the angels overpower the people.” As the rabbis continued to pray for mercy and healing, she took a jar and threw it off the roof. This startled the rabbis-- and thus they stopped praying momentarily. In that moment, the soul of Rabbi Yehudah departed. (B. Talmud, Ketubah 104a)

This story is often told in the context of Judaism’s views on end of life, on how we might balance our need for others to go on living with their own physical needs. This story brings forward an important paradigm in the end of life conversation by insisting that quality of life is just as important as length of days.

I believe it is also a teaching about the importance of advanced care directives. This may not be what our ancestors had in mind in particular! But it shows us the importance of making one’s wishes known when a person may no longer be able to make decisions for themselves.

In the story, we gather that Rabbi Yehuda has not made his intentions or desires known for his own end of life. Does *he* want to keep living? Does it bother him that he has to take off his *tefillin* and go to the bathroom so many times a day – or is he just happy to be alive and doesn’t view it as an inconvenience?

Rabbi's students, not knowing his wishes, do whatever they can to prolong his life. They do this through the vehicle of prayer- we can imagine more contemporary circumstances that involve tubes and machines. Because they are outside praying for what serves them, which is to have the rebbe alive for a bit longer, they lose their opportunity to draw close to Rabbi Yehudah and to accompany him in his final days.

Rabbi Yehuda's caretaker clearly does not know the Rabbi's wishes -- for she changes her mind based on her own evaluations and insights. She first sides with the students. Then she sees the rabbi's state and changes her mind. When she does so, she has to leave Rabbi Yehuda's bedside to create a distraction. It is significant to note that without any stated direction, a dispute between the two parties closest to Rabbi Yehuda manifests and Rabbi Yehuda dies without the comfort of these loved ones by his side.

It is not difficult for us to imagine a contemporary scenario not very different than Rabbi Yehuda's. Without clear instruction from the person impacted, different groups of family members and friends are left having to discern for themselves. This can easily- and frequently- result in conflict. Three children might have three different approaches. A spouse and a child might disagree about end of life decisions.

The story of Rabbi Yehudah teaches many lessons and one of them is for each and every person to make those end of life care wishes known so that the people in their lives can focus on what truly needs attention: accompanying their loved one through their final hours and being present for them and each other in that moment. The best way to do this is through an **advanced care directive**.

Advanced Care Directives are relatively new, having been developed in the 1960s. Therefore, Jewish tradition or *halacha* (Jewish law) on the topic is limited. As Jews, we do have values that point towards strong support for advanced planning for one's death and articulating a definition of quality of life that speaks to that person. I want to lift up four in particular:

1. **Kavod (Human Dignity, Honor):** A person's inherent dignity, a core teaching of Judaism, is something given at birth and lasting throughout their very final days. Even beyond this world, we are obligated to honor the dead (k'vod hamet) through our words and deeds following a person's passing. The Jewish value of kavod teaches us the vital importance of honoring a person's wishes and decisions to the best of our abilities, even and perhaps especially when they are vulnerable and no longer able to speak for themselves.

2. **Free will:** Each of us is created with free will; the exercise of our free will is an expression of *btselem elohim* (being created in the image of the Divine). If we are truly to have and exercise free will, then it should be able to exercise it or have it expressed by our health care proxies

3. **Acceptance of Death as a part of life:** Many people do not want to complete a health care directive because it means facing the potential of death, of being reminded of our vulnerability. But our tradition, in contrast to our larger American culture, teaches us to face end of life matters head on. We rip clothing (or ribbons) to signify how permanent a loss is. We participate in the burial of another by shoveling dirt on a casket (the ultimate expression of *k'vod hamet*). We invite people in mourning to say Kaddish in the midst of community to mourn and to remember. We have special prayers of *yizkor* that help us connect to those who have died and to remember their legacy. We recognize the inevitability of death and therefore the preciousness of life. Even if it is challenging for us to think about the end of us, our tradition reminds us that death is a natural process that should be embraced and prepared for.

4. **Sh'lom Bayit (Peace in the home):** Judaism teaches us to strive for peace in one's home, peace among family members. In intensely painful moments of facing the end of life of a loved one, there is an incredible opportunity for coming together as a family and loved ones. There is also an opportunity for a family being torn apart, especially when family members do not agree about what the best course of action would be in a situation in which an individual can no longer speak for themselves. Having clear wishes to execute can alleviate conflict and create more space for presence and connection in difficult times.

To conclude, let me tell you a different version of the story of Rabbi Yehuda, admittedly with some anachronistic features:

Rabbi Yehuda was sick. He was no longer himself. He spent hours a day in the Bathroom and had a painful experience taking his tefillin on and off. His students loved him so much. His caretaker watched after him. They reviewed his advanced care directive. They learned from Rabbi Yehudah what he wanted them to do. Together they prayed: "May the wishes of Rabbi Yehuda be heard on High. May he experience the vision of end of life that he had outlined for himself." And they sat with him and told him how much they loved him.