

JEWISH VALUES amid a time of pandemic – mostly timeless; and most timely

(Third Intallment, for fourth class -- via Adat Shalom, RFSD, for 10 April 2020)

All covid-area teachings are at www.adatshalom.net/teaching-materials-for-zoom-meetings/.

[03/25/2020 Jewish Values in a Pandemic 1](#) includes **Mussar middot**, and articles by Rabbis Shmuly Yanklowitz (outlining Jewish **values** in such a time), Fred Scherlinder Dobb (values from **shmita** as a key Jewish framework for the covid era), and Vivie Mayer (**staying whole** despite conflicting emotions).

[03/27/2020 Jewish Values in a Pandemic 2](#) offers highlights from session 1, plus a **Mussar lesson** from Alan Morinis (outlining the need to start with **science** and **action**, then to manage fear through **bitachon** or faith, and to reconcile the two through **hishtadlut** or sustained effort within reason) – and a reflection on **altruism** (by Thomas Cassidy), as it appears across the animal kingdom, to help us thread the needle of how much risk to take upon ourselves in the mitzvah-service of helping others.

Today: (a) Jewish **Values**, straight-up, both timely and timeless, from Rabbi David Teutsch; (b) a Jewish values **matrix** for congregational life, via Rabbi Joe Black; and (c) a Jewish **bio-medical ethics** exchange between two liberal rabbis, surfacing a range of values about whose lives are centered. And again, because they underlie so much of our ongoing exploration, we begin with key **middot**:

Marquis Middot (attributes) to REALLY delve into and grapple with, which we will do in the weeks ahead:

Acceptance of Suffering -- *Middah Kabbalat HaYisurin*, and
Asking and Answering -- *Middah Shoayl U'Mayshiv*

Other key middot for this time:

A Perceptive Heart-

Middah Sichlut HaLev

Absorb Knowledge and Add To It-

Middah Shomaya U'mosif

Acceptance of Suffering-

Middah Kabbalat HaYisurin

Beloved-

Middah Ahuv

Calmness in Study-

Middah Yishuv BeMikra

Cleaving to Friends-

Middah Dibuk Chaverim

Contentment with One's Lot-

Middah Samayach B'Chelko

Fear (managing it, balancing it)

Middah Ayma – aka Yirah, fear/awe

Knowing One's Place-

Middah Makir et Mekomo

Loving All Creatures-

Middah Ohev et HaBriyot

Loving Reproof or Rebuke-

Middah Ohev et HaTochachot

Modesty [Humility]-

Middah Anavah

Slowness to Anger [PATIENCE!]-

Middah Erech Apayim

The Study of Torah-

Middah Talmud

To Share the Burden with One's Friend-

Middah Nosay B'ol Im Chavayro

...And so much more from Musar riches!

Full list of 48 Middot, below

Initially crowd-sourced Jewish Values to consider:

- Dialogue
- Zerizut – energetic response [middah]
- Pikauch nefesh – saving a life
- Hesed (divine-level loving-kindness)
- Tzedakah – both charity and righteousness
- Knowledge – as in science, fact, medicine

- Knowledge – as in Torah
- Creativity
- Lashon Hara (avoidance of inappropriate speech)
- Patience and Contentment
- Watch out for others – interdependence; concern
- From R. [Shmuly's article](#): Don't place blame; Be afraid [but not too afraid]; Wipe out evil; embrace a Sabbatical; Be gentle; Love is contagious too
- Perseverance
- Watch out for the uniquely vulnerable – the poor; uninsured; those facing layoffs or dried-up work...
- Honoring Elders, by stepping forward to meet their unique needs
- Honoring the *Wisdom* of the Elders, by heeding their perspectives
- From Rabbi [Fred's article](#): power of Small & Intentional communities; Relevance through Resilience; no Hoarding; special Concern for Underprivileged; find religion in Hand-Washing; think Long-term [e.g. climate change]; accompany the Mourner; enjoy the Break; "Don't Panic!"
- From Rabbi [Vivie Mayer](#): make space for ALL our many emotions; be our whole selves

[KEY JEWISH VALUES, distilled by RABBI DR DAVID TEUTSCH](#)

(core Jewish attitudes, beliefs, and values – to inform a Values-Based Decision-Making process)

This article is excerpted from The Guide to Jewish Practice, Volume 1. The full Guide may be ordered from the [Reconstructionist Press](#). Note: When a value is a traditional Jewish one, the Hebrew name for it is used. When a value (such as democracy) comes out of American Judaism and is more naturally associated with an English term, the English term is used. When a term (such as commitment to community) represents a traditional value that has been reframed in response to changed circumstances, the choice of terminology will vary based upon what seems most useful.

Ahava (love) The gift of love—from parent to child, between lovers and friends, teachers and students—is a central source of joy, nurture and growth, bringing much of what gives life its meaning. Jewish tradition portrays God as the ultimate source of love, embodied in Creation, in Torah and in relationships. Valuing love involves making efforts to sustain and protect loving relationships.

Anava (humility) Avoiding boastfulness and overconfidence in favor of modesty in self-understanding and selfpresentation flows from a recognition of our finitude. This quality does not require self-flagellation or humiliation, but it does encourage cooperation and mutual respect. No one has complete possession of the truth.

Avadim hayinu b'mitzrayim (We were slaves in Egypt. [Deuteronomy 6:21]) Having experienced physical and spiritual degradation, Jews believe that this should create empathy with all who are downtrodden, victimized or in pain, and support for them. In the Torah we read, "You shall not oppress a stranger." (Exodus 22:21)

Avoda (Service) One meaning of *avoda* is service to God. Narrowly, this can be understood as the Temple sacrifices and the worship that replaced them. But the term also refers to work, which can be understood as efforts to improve the world or to contribute to the welfare of society. The early Zionists sang of the redemptive power of work. Our tradition upholds the dignity of honest labor and requires even the wealthiest people to help prepare for Shabbat, because this work provides the context for Shabbat.

Bal tash'hit (Avoiding waste) Material resources are limited, and we have the responsibility to guard against overconsumption and needless waste. No matter how much we can afford to buy, we should protect each thing of worth to any person or creature even if it has little value to us directly. This reflects gratitude for what we have and appreciation for the needs of all.

B'riyut (Health and wellness) Jewish tradition values the body and good health, supporting measures to protect them. Taking pleasure in the senses and avoiding destructive behavior reflect this value, as does the pursuit of spiritual and emotional health.

Bitul z'man (Wasting time) The minutes and hours of our lives are a precious gift. When we do not use our time well, we squander that gift, which is an irreplaceable resource. *Bitul z'man* is a betrayal of ourselves. We fulfill this value when balancing our efforts to be productive with our awareness of the beauty and miracle in each moment.

Brit (Covenant) The parties in a relationship have obligations to each other. Jewish tradition suggests not only the importance of the Jewish people's commitments to God, but also the covenant made with all humanity and the covenanting among members of the Jewish community.

B'tzelem Elohim (Human beings are created in the image of God.) Because we see ourselves as containing a spark of the divine, we understand that every person has infinite worth; therefore, no human being should be treated merely as an object, and we should always attempt to see the humanity in those we encounter. This attitude, drawn from Genesis 1:26, underlies many Jewish values.

Darkhey shalom (Paths of peace) In a world where tension and conflict so often result in destructive behavior, one concern of which we should remain aware is the need for utilizing emotional, political, and financial resources in ways that create harmony. This especially applies to conflicts among nations, individuals and ethnic and religious groups.

Democracy A value added to Jewish tradition in modern times, the commitment to democracy involves the free expression of opinions and a belief in the ability of groups to govern themselves fairly, responsibly and effectively.

D'veykut (Connection to God) Awareness of the presence of the divine in our lives brings the knowledge that our lives are a precious gift. Although we have a small place in an ordered universe, we can be uplifted by living in harmony with the rhythms of the universe and with awareness of the presence of God in our lives. *D'veykut* is thus a life-shaping connection, a much-to-be-desired source and expression of spirituality.

Diversity We benefit from our exposure to different ideas, cultures and ways of being in the world. It is a blessing that the world is diverse. People have differing abilities, interests, concerns and needs that are worthy of our attention and consideration. We value diversity within our communities and in the broader world.

Egalitarianism Rabbinic Judaism recognized the infinite worth of every human life. Contemporary Jews apply that awareness in our commitment to equal political, religious, social and legal treatment for women and men, homosexual and heterosexual, and people of all races and ethnicities. The implications of the idea that we all have been created *b'tzelem Elohim* have growing moral power as current social and economic conditions provide the impetus and insight needed for this ideal to move toward fulfillment.

Emet (Truth and integrity) Speaking truth to oneself and to others and living in a forthright fashion allow us to create communities characterized by trust, cooperation and mutuality. Living a life guided by the pursuit of truth and integrity also removes one of the chief impediments to spirituality and loving relationships. The rabbis said that *emet* is the seal of God.

Eretz Yisrael (Land of Israel) As the ancient homeland of the Jewish people, the land of Israel has always had special meaning for Jews. With the revitalization of the land, broad-based aliya (migration to Israel) and creation of the modern State, the Jewish attachment to the land has come to mean a commitment to the welfare and safety of the State of Israel as well.

Fidelity Keeping promises and honoring contracts creates a sense of safety and reliability that shapes commercial, communal, and familial relationships in ways that add meaning to work, probity to public life, and warmth and durability to families.

Haganat hateva (Environmentalism) The natural world— Creation—is a wonder that we are meant to enjoy and appreciate. We are both the beneficiaries of the bounties of nature and the stewards of the natural world. As our power to damage the earth's ecology grows, our ability to benefit from Creation—and perhaps even human survival—depend upon the effectiveness of our stewardship.

Hesed (Covenanted caring) Lovingkindness in action does not always flow from feelings. *Hesed* is the caring we bring to members of our communities and our families. They deserve caring action when they need it simply because we share the bonds of interpersonal connection. Caring for each other is part of what makes us fully human.

Hidur mitzvah (Beautifying Jewish observance) Through graceful ritual objects, architecture, and joyous song, wonderful food and beautiful books, we take pleasure in maximizing the attractiveness of our ritual, our moral practice, and our celebrations. This not only enhances our Jewish experience; it draws others to it as well.

Hodaya (Gratitude) Our lives are a gift. We can never fully earn our opportunities for experiencing love, beauty, growth or joy. They are gifts to us because we were born into this world. It is because even the poorest and least loved of us have received so much that each of us is capable of giving so much back. No matter how much we give, we can never give as much as we have received. Savoring each of these gifts means not living with a bloated sense of entitlement, but instead living a life charged with meaning.

Inclusion Welcoming all into our communities regardless of ability, age, race, sexual orientation, family status or level of knowledge allows our communities to embrace as many people as possible, which strengthens the community while allowing it to fully serve all its members.

Jewish authenticity While indiscriminate borrowing from other cultures and religions can undermine Jewish living, Jewish life has been broadened and deepened through what Jews have absorbed from the many cultures to which they have been exposed. Finding the line between enhancement and diminution is a challenging and ongoing task.

Kavana (Intention) Bringing full attention to our thoughts, actions and words increases the fullness with which we live. Mindfulness helps us not only to bring ourselves to prayer; it helps us live deeply.

Kedusha (Holiness) Leviticus tells us that God is absolutely holy and that the times, places, and actions that bring us closer to God are holy as well. The system of mitzvot is intended to help us become more holy, more fully in touch with the divine within us and in the world. *Kedusha* has a root meaning of separate, dedicated, or set apart. Particularly in an overwhelmingly secular society, efforts to follow a path of holiness can create life-rhythms that to some extent set one apart from others. We should attempt to maximize the holiness within our daily activities without erecting unnecessary interpersonal barriers.

Kehila (Commitment to community) According to Jewish tradition, human beings can only fulfill themselves fully in relationship. Community is the locus of our relationships. Furthermore, Judaism as a civilization can be experienced solely in community, can be passed on effectively only through the locus of community. Building and sustaining communities is critical to human fulfillment. As Jews, we strive to create communities that manifest justice, holiness, and peace.

K'vod hab'riyot (Human dignity) Created *b'tzelem Elohim*, in the image of God, we can see the spark of the divine in each other. In recognizing that each human face is in part a face of the divine, we recognize that we are bound to respect the dignity of each human being and act in a way consistent with that dignity. Therefore we should avoid *oshek* (oppression) by, for example, paying workers fairly and on time, and providing safe working conditions.

Klal Yisrael (Unity and survival of the Jewish people) Despite the schisms that have historically been a part of the Jewish community, the Jews are one people with a shared history. We recognize that we are responsible for each other regardless of differences in ideology and practice, and that since the days of Abraham and Sarah, we have needed each other not only for our own survival but to make the world a better place.

Ladonay ha'aretz um'lo'o ("The earth and all that is in it belong to God." [Psalms 24:1]) We are the beneficiaries of Creation and serve as its stewards. Human beings do not ultimately own what is theirs in the world; it is on loan to us, and we are responsible for doing with it what we believe its owner would will. This key idea underlies Jewish environmental and social ethics.

Limud torah (Jewish learning) Judaism has a powerful textual tradition. To understand Jewish civilization requires regular study of our texts not only as an intellectual resource, but also as a stimulus for creativity and an opportunity for moral growth. Text study can create bonds among those who study together, and can be a pro-

Menschlichkeit A mensch is a person of great integrity, courage and sensitivity, honesty and caring. The quality of being a mensch is *menschlichkeit*, which is a Yiddish term. While it has great meaning for Ashkenazic Jews, it should be noted that the Yiddish term was unknown to Sephardic Jews until they encountered it in Israel.

Menuḥa (Rest and renewal) Stepping back from work, consumption and productive activity for self-renewal and contemplation is a sacred act that provides perspective and offers us an opportunity for healing. This is a major focus of Shabbat.

Mitzvah (Obligation) Jewish tradition teaches that God gave 613 mitzvot in the Torah. While most Jews do not believe that each obligation we have was individually formulated for us by God and we realize that obligations inevitably change over time, we recognize that community can only exist if there are rules that community members follow. A community living in harmony and pursuing the divine helps its members to discover the transformative power that comes from honoring obligations. Doing what I believe is the right thing simply because it is right helps to create an inner life that is clear as well as interpersonal bonds that are reliable. Some mitzvot serve as pathways connecting us to our community and our people, to our highest values, to humanity and to God.

Physical pleasure Our bodies are a gift. We demonstrate our appreciation of that gift by taking pleasure in all our senses. According to one midrash, we will be held accountable for every permitted physical pleasure we pass up—a wonderful meal, a comfortable bed, a walk in a beautiful forest, a loving hug. The *birkhot nehenin* are a large group of blessings that mark these pleasures.

Pluralism In a world where the observance of Judaism cannot be coerced and where groups within the Jewish community disagree about what to believe and how to practice, pluralism is necessary for the Jewish community's survival. In addition, pluralism is critical to democracy, which depends upon freedom of speech. The open exchange of ideas has also been critical to the evolution of Judaism. We embrace pluralism not as a necessary evil but as a source for creating vigor in Jewish life, & helping with the improvement of Jewish civilization.

P'ru ur'vu (Be fruitful and multiply) The first commandment of Genesis is to bear children. While it was originally about guaranteeing that there would be future generations, today the size of each generation is an issue that deserves our scrutiny. The value of nurturing children has to do with the bonds of love between us; our ability to pass on our beliefs, values, attitudes and practice; and the mutually transformative nature of the parent-child relationship. We fulfill the value by raising children, regardless of whether we are biological or adoptive parents.

Rahmanut (Compassion/Mercy) Empathy for those who are less fortunate results in caring action that can involve the emotional, physical, and economic realms. Everyone is less fortunate in some way. All human beings are vulnerable. We need to have compassion on ourselves and others, especially those suffering from emotional, spiritual, physical, and financial difficulties. The Hebrew root of the word *rahmanut* is *rehem*, womb, which implies a deep and abiding love. All who are around us need our caring and compassion.

Shalsholet hakabala (Preserving the chain of tradition) The oral and written traditions of the Jewish people stretch back to Abraham and Sarah and beyond. Our inheritance comes from this unbroken chain of living, evolving tradition that shapes our thoughts, actions, and vision. We are the current link in the chain, preserving the extraordinary richness we have inherited and adding our own experience and insight so that we leave a powerful legacy for subsequent generations.

Sh'lom bayit (Peace at home) If the community is the building block of Jewish civilization, then the family unit has been the building block of the community. Its stability is vital to the community as well as to family members. Those who share daily living should be honored, nurtured and loved by each other. This is necessary for *sh'lom bayit*. When this nurturing is present, the home is a successful primary locus for child-rearing, for building character, and for supporting secure, loving individuals. When it is absent because of abuse or violence or acts of humiliation, *sh'lom bayit* is impossible. Making the home a peaceful place is critical to its ability to carry out these tasks and to bring joy into the lives of the members of the family.

Sh'mirat haguf (Protecting the body) Our bodies are key to all we can do in the world—and they are a gift to us. Taking care of them allows us to experience and accomplish all else that is important in our lives, to honor that we are created *b'tzelem Elohim*.

Sh'mirat halashon (Guarding speech) According to Genesis, God created the world through words. Words are our most powerful weapons. What we say can build people up or tear them down, waste time or build relationships, pursue truth or spread rumors. Using words with restraint and wisdom helps to create a safe environment that supports individuals in their growth and the community in its pursuit of holiness.

Simha (Joy and celebration) Joyously marking Shabbat, holidays, and life-cycle milestones with friends and family, food, drink, and music helps us appreciate what we have, acknowledge transitions in our lives, and make the most of life. Thus Jews toast by saying, "*L'hayim*, to life." The Bible proclaims, "Serve God in joy." (Psalms 100:2)

Spirituality Just as we emphasize the importance of the intellectual, emotional, & physical development of every person, so do we recognize the importance of spiritual development. People vary widely in how they best discover, develop and express their spirituality; we encourage each person's individual development. This might include worship, social activism, meditation, enjoyment of nature, study, and aesthetic experiences. At its best the spiritual life of the community not only strengthens the whole, but supports the individual spiritual journeys of its members as they repair their souls and seek divine presence in their lives.

Tikun olam (Improving the world) We live in a world that is far from perfect. Judaism has always had a messianic vision of a world redeemed, a world characterized by justice, sufficiency, harmony and peace. "We cannot expect to complete the task of bringing the world

to that ultimate redemption, but we are not at liberty to neglect the task.” (Avot 2. 16) On the interpersonal, political, and environmental levels, there is an enormous amount to be done, and each good thing we do makes a difference.

Tza’ar ba’aley hayim (Prevention of pain to animals) Kindness to animals as God’s creatures should shape our interactions with them. This applies both to avoiding cruelty (e.g., not teasing them) and to acting kindly (e.g., feeding, staying with or helping a trapped animal).

Tzedek (Social justice) From biblical times through the present, we have had a tradition of resisting oppression. To ensure just treatment means preserving human dignity and meeting basic human needs, including education, dignified work, food, clothing and shelter. We live in a just society only when every one of its members is treated justly. Accomplishing that is a shared challenge. Providing funds for that purpose is the act of tzedaka.

Tz’ni’ut (Modesty) Maintaining the dignity of others and of oneself and respecting the sacred nature of sexuality involves making thoughtful decisions about how and when to express our sexuality and sexual desire. Modesty also involves not using speech and deed to attract undue attention to oneself. It is equally important for men and women. Dressing appropriately and acting in ways calculated not to attract undue attention help to create an atmosphere of self-respect and trust, safety, confidentiality, and mutuality.

Yirat Shamayim (Awe of God) Recognizing the awesome Power that unifies the diversity and complexity of the world, the Power that is the source of life, spirituality and ethics, we experience awe and reverence. Humbled by our smallness, we are inspired to reach higher and deeper.

[A JEWISH VALUES MATRIX for Dealing with a Time of Illness and Stress – R. Joe Black](#)

March 13, 2020 – one Congregational Rabbi’s Early Perspective (Temple Emanuel, Denver)

Over the past several days we have been spending a great deal of time and energy formulating a plan to deal with the myriad of possible situations and decisions that will inevitably arise as we confront the advent of Covid-19 in our community. As we struggle to consider all our options in this ever changing environment, we are **striving to make decisions utilizing a values-based matrix** around which we can act in a consistent manner that is in line with Jewish tradition and modern sensibility. We want to provide you with a matrix of these values to help all of us understand why and how we have come to the difficult decisions that face us.

1. **Pikuach Nefesh – saving a life.** This is the most important Jewish value. Our sacred texts teach that we can forgo almost any commandment or prohibition in order to preserve life. In the context of the COVID-19 pandemic, our top priority must be the health and safety of all. If we are forced to close our building, cancel or radically reshape a program, service or class, we are doing so in order to ensure that everyone’s safety is paramount.

2. **Al Tifrosh Min Ha Tzibbur – “do not separate oneself from the community.”** Mishnah, Avot 2:5(“Social Distancing”, cancelling programs, services, educational and social events can easily have the effect of isolating many of us from one another. As such, we are looking for as many ways as possible to ensure that that we stay in touch. Utilizing internet streaming, email, our website and Facebook are just a few of the ways that we are striving to remain connected to our community. We also are dealing with the fact that some of this technology is imperfect. We have a learning curve ahead of us, but we are determined to do everything we can to enable meaningful connections.

3. **Lo Ta’aShok Sachir – “Treat workers Fairly”** Deuteronomy 24:14(Cancelling programs or classes has a ripple effect – not only on program participants, but also on those who are contracted to conduct them. Temple Emanuel is a large institution. We employ many teachers, custodians, caterers, musicians, and clerical staff who

depend on us for their livelihood. We are committed to doing all that we can to ensure that programmatic interruptions will have minimal impacts on our employees' abilities to care for themselves and their loved ones. In addition, if we cancel an event, we need to be conscious of the impact that the cancellation will have on those who are counting on getting paid for their services. If at all possible, think of ways to help our partners in the community.

4. **Simcha – “Rejoicing.”** Even in times of difficulty, it is important that we look for ways to celebrate Jewish life. This can be difficult when life-cycle events are cancelled or postponed due to health concerns. We are determined to do all that we can – within the constraints of the reality of our situation – to help everyone achieve this.

5. **Nechama – “comforting the afflicted.”** Pastoral care is central to our mission at Temple Emanuel. When personal contact is limited, this can be difficult. We will continue to strive to be present for all who are in need in any way that we can.

6. **Tzimtzum – “narrowing down/contraction.”** In Jewish mystical tradition, prior to creation, God went through a process of contraction and self-examination in order to make room for the world. Since God was every-“where” and every-“thing”, there was no space for anything else. Hence the need to pull away. Similarly, there are times when we need to contract our emotional, physical and spiritual needs in order to make room for others. In particular, we need to be sensitive to those members of our community who may be most affected by the virus – **the most vulnerable** among us. We have seen multiple responses to this situation in recent days – some of these bring out the worst and some bring out the best in us. Activities like hoarding supplies, looking for others to blame, scapegoating and spreading unfounded rumors are not helpful and, indeed destructive. On the other hand, we have also seen people coming together, looking for ways to help and self-sacrifice in order to ensure that the most affected are protected are perfect examples of how we can make room for others in our midst.

This is a difficult time for all of us. The uncertainty and unease that we are feeling are normal for a situation that is anything BUT normal. We are in uncharted territory. May we work together as a **Kehillah Kedosha** – a sacred community – to emerge strengthened and resolute. May our values serve as anchors in a sea of uncertainty.

And.....Wash your hands!

COVID-ERA JEWISH BIO-ETHICS – Excerpts of (semi)-Public Exchange Between Two Liberal Rabbis, April 7-8, 2020 – Rabbi K is a chaplain, hospice worker, and person with disabilities; Rabbi L is a hospital chaplain and chair of its medical ethics board

On Tue, Apr 7, 2020 at 2:38 PM, Rabbi K wrote:

Dear Colleagues, I hope this finds you and yours safe and well in these uncertain times.

As you may have seen on social media... on a Haggadah supplement and **Passover action that aims to center the voices and lives of sick and disabled people**, in this time when their lives are being treated as disposable. **We are hoping that you can distribute this to your members and supporters?**

I know Passover is close and you likely have other actions you are promoting as well. As of now, I haven't seen any Passover actions specifically about justice for elders and people with disabilities. So we're hoping this could be a good addition to whatever else you're doing.

Please find the meme attached, and all other info (a blessing to say, calls to action, a sample FB post, etc): <http://bit.ly/SpoonOnYourSederPlate...>

On Tue, Apr 7, 2020 at 2:31 PM, Rabbi L wrote:

..I looked at your materials. I am however, concerned about this paragraph: "At the same time, sick and disabled people are being treated as disposable. Day by day hospital triage policies are being released that recommend who will be denied care as ICU beds and ventilators run low. . . . Instead, triage policies target chronically sick, disabled people, elders, fat people and other marginalized people (poor people, people of color, people in prisons and detention centers, unhoused people, and others)."

I have spent countless hours working on triage and related policies for my hospital system. In the past few weeks, in my role as ethics coordinator at a regional hospital, I have read and reviewed probably 25 or 30 policy recommendations from bioethics scholars, doctors and hospital systems, including from NYS, the Hastings Center, U of Pittsburg, JAMA, Yale Medical systems, etc.

Apart from two states- Alabama and Washington- whose ventilator allocation guidelines (not laws) really are problematic (and whose policies will probably be stopped in federal court), I am simply unaware of a single example anywhere of sick or disabled people, much less fat or poor or non-white folks, being treated as disposable in triage policies. [Examples, please?].

I think your claim is unfair to healthcare workers who are putting themselves in danger every day to save people without regard to any of the factors you mention. Our entire nation has mobilized precisely to **protect the most vulnerable at unprecedented cost** -- it is the precise opposite of what you suggest is happening. I am certainly willing to be corrected.

PS- for the record, most triage policies say nothing about disabilities- again, Washington and Alabama excepted, and those are guidelines, not laws. The way triage is often done is by **looking at at SOFA scores or other comorbidity factors / clinical data without regard to race, social status, disability, etc.** There is an argument about **age** being a factor but that's simply because almost nobody over a certain age with ARDS because of Covid comes off a ventilator alive. If you want to argue that their **likelihood of survival** (which will be impacted by things like COPD, cancer, CHF, diabetes, etc) shouldn't play a part in triage policies, well, then we're talking past each other and I invite you or anybody else to submit a better way to determine that more people live when the ventilators run out. Even if Trump implemented the Defense Production act two weeks ago, that's not going to get NY or NJ enough ventilators this week or next.

On Tue, Apr 7, 2020 at 8:47 PM, Rabbi K wrote:

Here are a few responses and some resources for your further research.

1) I am a chaplain and hospice rabbi, as well as a chronically ill person myself. I currently sit on a number of hospital ethics committees providing guidance to evolving triage policies. **Virtually all triage policies in this country (and others) are using metrics** to think about emergency shortages like **"life years"** (which automatically target elders -- one of the groups we mention) as well as **"chances of survival"** (which places chronically ill and usually disabled people at disadvantage).

2) I find even a narrow application of these principles ethically objectionable and favor community responses to shortages (as you mention the Defense Production Act as many Nurses Unions have been calling for would solve many of these problems; there are also many community groups building ventilators and working on creative solutions), and **when absolutely necessary policies like lottery, or first come first served.** As the Disability Rights and Education Fund and nearly every other disability rights group that speaks about our lives, from our perspective recommends <https://dredf.org/the-illegality-of-medical-rationing-on-the-basis-of-disability/>. Not only is this about saving my life and my loved ones lives, as a rabbi, to me this is what is consistent with my understanding of **b'tzelem Elohim.**

3) While some hospitals are making every effort for these concepts to be limited to clinical survive-ability, it is well documented by bioethicists that **concepts like "quality of life" "chances of survival" and even "life years" are subjective,** hard to measure, and when health care providers are working with disabled, fat, and chronically

ill people, they are usually impacted by **bias** and, especially in emergency situations, make mistaken judgments about us <https://www.nrlc.org/uploads/medethics/WillYourAdvanceDirectiveBeFollowed.pdf>. Even in the case of withdrawing care to people supposedly in the last moments of life, disabled and chronically ill people have different baselines, coping techniques, and strategies for surviving with higher levels of morbidity and so-called objective clinical measures may not be accurate for us and our real chances of survival.

4) There are also many clear examples of **ableism in the healthcare system**. You mention Arizona and Washington state, these were only two states where documents were leaked. The US dept of civil liberties believes there are many more and is warning against the illegal nature of rationing medical care in this time https://www.nytimes.com/2020/03/28/us/coronavirus-disabilities-rationing-ventilators-triage.html?fbclid=IwAR0LiCC14A1TULEs7pvWfR_Z2QGRQ9HHgfPV2q8gzqBBpFH9K26X4XpsFdY.

5) There are many other examples of **ableist policies**, for example people who live on personal ventilators face having them taken away and not being eligible for another due to their disabilities ("survive-ability" factor). For an excellent first person account of this situation read this by Disabled activist and daily ventilator user Alice Wong <https://www.vox.com/first-person/2020/4/4/21204261/coronavirus-covid-19-disabled-people-disabilities-triage>

6) Fat people are also at risk in this moment and mentioned in this document. The CDC is listing **BMI > 40** as a "comorbidity" for COVID-19 <https://www.cdc.gov/coronavirus/2019-ncov/hcp/underlying-conditions.html> -- That includes people who wouldn't otherwise consider themselves having any kind of pre-existing condition. For more information on **weight bias and COVID-19** go to: <https://docs.google.com/document/d/1Zz7EchlVq05wFDZ1EysJkGiMJTpzXxi998M2Ij2hYhg/edit>

We can **support** health care providers and ask them to **save** our lives as **marginalized** people at the same time. Please take a moment to listen to the voices of those who are fighting for medical care in this moment, and who are most impacted by this disease...[and] advocate for compassionate healthcare for every body in this moment.

On Tue, Apr 7, 2020 at 6:59 PM, Rabbi L wrote:

I do not disagree that there are biases in the healthcare system. I vehemently object to the notion that hospital ethics committees are treating anybody as disposable as you charge in your Passover literature. I ask again, can you provide me with one single policy that is currently being implemented in any healthcare system in the USA which discriminates against disabled, trans, brown, or fat people as such?

Yes, some triage policies do take **advanced age** into account, for the very simple reason that almost nobody over, say, 80, who goes on a vent with Covid will survive. Do you advocate exposing **healthcare workers to the deadly risk** of intubating someone with Covid, which spreads lots of virus in the air, knowing that the intubation has almost no benefit in terms of saving life?

Saying that you **prefer a lottery system** rather than, say, SOFA scores to be used in allocating ventilators is a valid philosophical position, but that's not what you claimed in your NYT article or Passover materials -- you claimed that people like me were treating the disabled as dispensable. Of course, using a **lottery system has its own ethical disadvantages**, as for example giving ventilators to people who will almost certainly die anyway, and thus denying them to those who have a **greater chance of survival**. If that's your position -- that chance of survival should play no role in resource allocation -- fine, but say that overtly and defend it to the parents of a **30 year old** with Covid being denied a ventilator in favor of the **95 year old** who gets it instead. The 95 year old will almost certainly die and the 30 will very probably live, but not if they lose the lottery... [AND:] **First come, first served**, of course, introduces a **massive class bias**, because who is going to get to the hospital first? Them's with transportation, insurance, and a good zip code near hospitals...

Again, excluding the draft guidelines (not laws) from AL and WA, which will likely be stopped in court -- thus proving that **our system works** to protect the disabled -- I do not think you can show me current policies at real institutions which will have any of the effects you describe. Yes, there will be

medical errors. Yes, some individuals will suffer **discrimination** at the hands of other individuals. Yes, there is **bias** sometimes. But those are **not systemic policies** which create **categories of disposable people**, which was your claim.

We all want these horrible decisions never to happen. We all want a better, fairer system, and to that end, [pleasee clarify if you really think] that "**who shall live and who shall die**" is better addressed by a **lottery** than by a **transparent system of clinical factors**, which, if done right, actually **controls for bias** fairly well, and **saves more people in the end.** ... Ad kan.

On Tues April 7, 2020, at 10:51 PM, Rabbi K wrote:

I believe I replied to your last email with plenty of examples of discriminatory triage practices all the way from **survive-ability without taking into account different baselines** that leads to withdrawing care, to **using BMI without pre-existing conditions**, all of which is in current COVID-19 triage policies.

...The point is not that hospitals are saying they will treat us as disposable, but that **there are policies that encode disposability and a lack of safeguards against bias.** People in power rarely recognize their own biases, that is the problem, it is up to the disenfranchised to call out the powers that be, as we are here. Which is why this campaign is about centering the voices of sick, disabled, elders, fat people **and listening to our experiences of disposability** ... you will find few disabled people who have not had this experience in health care, and in many other arenas of life that cloud health care providers' judgements.

All I can add is that you should read Prof Joseph Strumundo's excellent article about why a disabled perspective is needed in bioethics -- <https://philpapers.org/rec/STRWBN> -- and please watch **Crip Camp** to understand more about what it means to be disabled and treated as disposable every day, and the history of disabled disposability in medicine that this moment is situated within.

Happy passover, K

On Wed April 8, 10:00 AM, Rabbi L wrote:

[Thank you... I read everything you recommended, and am learning...]

...Finally, I was remiss in pointing out why I feel so strongly that clinical factors are the only ethical way to make resource allocation decisions in the current crisis. It's this: taking age and comorbidity factors into account is not something that ethics committees want to do. It's something that **the Covid-19 virus is forcing us to do**, because it is an observable clinical fact that **the older and sicker you are**, the more likely it is that ventilator assistance **isn't going to save your life** -- while intubating any Covid patient does put health care workers at risk. (And resuscitating during a code even more so.) Sticking a tube down the throat of someone with ARDS from Covid creates aerosol clouds of virus, which can find cracks in PPE.

Healthcare workers -- my friends and colleagues, and the people who will save your life when you get to the hospital- - **must not be treated as disposable**, to use your words. Putting people of highly advanced age or with other life-threatening conditions on a vent probably won't save them, but it might sicken the respiratory therapist who then can't vent you when you get to the hospital, so more people die in the end.

It's Covid-19 that disposes of people, not ethics committees, who are doing their damn best to work with an impossible situation.... Again, I promise I'll read those articles.

Back to work, last post on this. **Stay safe** out there...