

Elections 2012 - A Jewish Perspective

11c. *It would seem that if someone were to attempt suicide and someone else would be able to rescue him, he might not be bound by the prohibition of “Do not stand idly by your neighbor’s blood;” and how much the less would he be bound by the positive command of returning a lost object.*

Minchat Chinuch, Kometz Mincha, *Mitzva* 237

12a. *It is forbidden to strike one’s fellow. Even if he gives permission to strike him, no person has any such authority over his own body to have it struck.*

R. Schneur Zalman of Liadi, Hilchot Nizkei Guf Vanefesh, Chap. 4

12b. *Even if a patient brought illness upon himself through negligence, the Sabbath must be desecrated on his behalf.*

Fred Rosner, “Rabbi Moshe Feinstein’s Influence on Medical Halacha,” The Journal of Halacha, No. 20, p. 49

13. *If a stingy rich man starves himself, even though we should feel no charity obligation towards him and we allow him to go about in his foolishness, it seems to me that if he becomes ill from his hunger, we do feed him and force him to pay.*

Rabbi Yechiel Michel Epstein, Aruch Hashulchan, Yoreh Deah, Hilchot Tsedaka 253

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Class Question:

Who is responsible for paying for my healthcare -- the society, my employer, or myself?

For each, rank their level of obligation: first, second or third.

14. *If I am not for myself, then who will be for me? But if I am for myself only, then what kind of a person am I? And if not now, when?*

Avot 1:14

Section IV

Insurance

15a. *Cast your burdens on G-d; He will sustain you; He will never allow the righteous to stumble.*

Psalms 55:

15b. *If one does not trust in G-d, then one is trusting in something else. And one who trusts in something other than G-d removes G-d's protective governance from himself, and is abandoned to the thing in which he put his trust.*

Rabbi Bachya ibn Pakuda, Duties of the Heart, The Gate of Trust, beginning

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15c. *Does insurance in all its forms not represent a lack of trust in G-d? The prophet Jeremiah said: “Cursed is the man who puts his trust in man, making flesh his might, and pulls back his heart from G-d.” If so, when I place my trust in the insurance company, perhaps this is a lack of faith in the blessed Holy One?*

Chief Rabbi Yona Metzger, Miyam Hahalacha, 85, “The Relation of Halacha to Insurance”

Class Question:

Are we allowed to have insurance altogether? If we live our life anticipating the worst, is that not a lack of trust in G-d that goes a long way to opening the possibility for evil to happen, G-d forbid?

16. *G-d will bless you [Deut. 15:18] – You might think this would be so even if one were to sit and do nothing. Therefore the text adds, ...in all that you do [ibid.].*

Sifrei, ad loc

17. *Donkey drivers can say that whenever someone’s donkey dies, all will collectively buy him a new donkey.*

Tosefta, Baba Metsi’a 11:25

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18a. *A person should never consecrate or devote all of his possessions. He who does the reverse acts contrary to the intention of Scripture...Such an act is not piety but folly, since he forfeits all his valuables and makes himself dependent upon other people who may show no pity to him.*

Maimonides, Hilchot Arachin 8:13

18b. *A man should always exert himself and should sooner endure hardship than throw himself as a dependent on the community. The sages admonished: "Make your Shabbat a weekday rather than become dependent." Even one who is learned and honored should, if impoverished work at various trades, even very lowly ones, rather than accept dependency.*

Maimonides, Hilchot Matnot Aniyim 10:18

19. *Regarding the question of whether there is any worry that it is forbidden to take out an insurance policy, as it might constitute (G-d forbid) a lack of faith in G-d... In my humble opinion, there is not a bit of lack of faith in G-d in this, for it is like any other business matter in which a person is not only allowed but required to engage in commerce and work for his livelihood and it is forbidden for him to say, "Even if I do nothing, G-d will sustain me in some way."*

Rabbi Moshe Feinstein, Igrot Moshe, Orach Chayim, 2:111

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Discussion:

Seeing that provision for the future through a financial instrument is allowed under Jewish law, can a case be made that an individual should buy health insurance?

Class Question:

What do you think provides a more powerful reason for purchasing insurance: (1) the community's right to protect itself, since it is on the hook for the person's treatment even if he is negligent; or (2) a person's self-interest in protecting himself from a lifetime of paying off medical debt?

20. A community can restrict, enact laws, and make agreements as they see fit. These have the strength of Torah laws. They can fine and punish anyone that violates any of their collective agreements...

Rabbi Shlomo ben Aderet, Responsa 4:185