

“You Shall Surely Heal Him”
D’var Torah
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Dear Friends,

There are families in our congregation for whom trips to the emergency room to get one of their kids sutured, or to have a bone x-rayed, is such a regular occurrence that it almost seems routine. These kids aren't particularly careless or accident-prone. Typically, they simply play a sport that sometimes gets them roughed up.

As a kid, I never broke a single bone, nor did I ever land in the emergency room for stitches after, say, rugby practice. Oddly, I feel more than a little embarrassed about my lack of childhood ER visits, because it points to the sad fact that I don't possess even the tiniest particle of athletic ability. Okay, to be fair, I can ride a bike just fine and shuffle my way around an ice-skating rink without falling down too often, but some of my worst teenage memories involve an inability to sink a simple layup in PE class while my friends shook their heads or snickered.

Surprisingly, though, I do have *one* fairly impressive scar where I took stitches in the emergency room about 20 years ago, but it had nothing to do with getting in the way of a hockey puck or slamming into a tree while snowboarding or being tackled by someone twice my size.

My single, scar-worthy injury was the result of being too lazy, at the conclusion of taking a shower, to *step out of* the bathtub. Instead, while still standing *in the tub*, I tried to stretch my arm around a corner at a funny angle to grab a towel out of the bathroom linen closet – which I think I knew was a stupid idea, but that didn't stop me from trying. I lost my footing on the wet porcelain of the bathtub and fell down hard, my right hip slamming down on the side of the tub as I fell.

Sprawled out in the bathtub, my first thought was, "Folberg, you're an idiot."

My second thought was, "I am going to be really, really sore tomorrow."

And then, after standing up, and seeing a large, deep gash in my hip (and nearly passing out at the sight) I found myself in the aforementioned emergency room. (I told Sandra I was going to drive myself to the hospital but she wisely insisted that she take me there.)

After getting a shot of lidocaine and waiting for it to take effect while the doctor fetched the suturing material to stitch me up, from out of nowhere, something weird happened – I started to cry, and I mean, not just a little dampness around the eyelids, but I mean really, audibly losing it.

Lying there in the ER waiting to be treated for this minor injury, it struck me for the first time in my adult life that my “life” was housed in a physical body that could break. I felt fragile, frightened and vulnerable in that emergency room.

Now, facing my 60th birthday in a few months, that awareness of fragility and vulnerability is far more prominent in my everyday consciousness. For one thing, I've had more experiences of my body doing something unexpected and unwanted, like the "frozen shoulder" that made it painful to reach for things, or even the realization that I can no longer eat whatever I want in whatever quantities I want without, shall we say, certain *undesired consequences*. My metabolism is changing. Like you, like all of us, I am getting older.

In addition, watching both of my parents age, seeing them struggle with the changes in their mental and physical well-being in the years leading up to their deaths, has meant confronting my own mortality with an urgency that the thirtysomething year-old version of me could choose not to face.

As too many of us know, when you get to "a certain age," you begin with greater frequency to hear news about the spouse of somebody at work, or a friend of a friend, or perhaps someone even closer to you, who has been diagnosed with ALS, or pancreatic cancer, or one of the other serious illnesses that suddenly strike down people around our age, and that news puts you in a reflective mood at the very least.

Then there's a clergy occupational hazard. Like every congregational rabbi, I regularly learn of someone in our community who was fine one day, wasn't feeling quite right the next, and a week later had their life turned upside down after

receiving a bad test result. With proper care, many of them get better. Some of them don't, shifting my responsibilities from hospital visits to funeral arrangements. This is part of life, and it's a part that's hard to face.

In her famous essay, *Illness as Metaphor*, author Susan Sontag writes, "Illness is the night-side of life, a more onerous citizenship. Everyone who is born holds dual citizenship, in the kingdom of the well and in the kingdom of the sick. Although we all prefer to use only the good passport, sooner or later each of us is obliged, at least for a spell, to identify ourselves as citizens of that other place."¹ To this, Rabbi Lawrence Hoffman adds, "[Journeying to the land of the sick exiles you from] the people who continue seeing movies, going out for dinner, and enjoying ordinary laughter, friendship, and fun, [and who] resist hearing news from that "other country." The natural tendency is to deny evidence of [the land of the sick], so as to protect ourselves from the certain knowledge that we, too, own secret passports there."²

Of course, it's not only aging that brings brushes with illness. Kids get sick, too, and there is nothing quite as agonizing as watching your child suffer. We learned this again this past summer, when our daughter, Shira, landed in Dell Children's Hospital. After well over a week with an undulating fever and severe G.I. distress,

¹ Susan Sontag, *Illness as Metaphor*. Farrar, Straus and Giroux, 1978. Also see here: https://monoskop.org/images/4/4a/Susan_Sontag_Illness_As_Metaphor_1978.pdf

² *The Journey Home*. Rabbi Lawrence A. Hoffman. Beacon Press, 2002. Page 71.

we learned that she had not contracted a virus, as everyone suspected, but a serious bacterial infection that had gotten into her bloodstream.

Many of us know what it's like to have spent the night in the hospital with a sick child, getting no rest on one of those crummy little convertible sleep-chairs while the devoted nurse wakes both of you up, charging in every four hours to check their vitals. Such a crisis reminds you that your love for your kid is limitless and you would do anything to help them feel better. Similarly, those of us whose children have *chronic* health issues that are somewhat off the beaten path also know that there is no limit to the number of medical subspecialists you will travel to see, out of state if necessary, in search of healing for your child.

For our own family, mingled within the stress and worry of Shira's recent hospitalization were unexpected waves of gratitude. Many times, during those four days in the hospital, Sandra and I reflected on how grateful and fortunate we were to live in a city with a world-class pediatric hospital and to have the financial resources not to have to worry about how we were going to pay for all that superb but enormously expensive medical care. And we asked ourselves, "What about parents of sick children who don't have the same privileges that we do? How do they survive this?"

In considering The Land of the Sick versus The Land of the Well, we dare not forget about those of us with *chronic* health conditions that never entirely go away,

including those sitting around us tonight who live with significant physical pain every day.

And since, as I've often remarked, "I come from a long line of serotonin challenged Ashkenazi Jews" – which is to say, there are anxiety and depression and OCD and other neuropsychological conditions all over my family tree – we mustn't forget the suffering of those with *mental* illness, or addiction. There is this remarkable website where people suffering with obsessive-compulsive disorder post about their lives and their experiences. The title of the website is The Secret Illness³, and it's a strikingly apt name. The shocking amount of stigma and secrecy around obsessive compulsive disorder and other neuropsychological ailments makes the suffering of those with mental illness even more severe.

In every single health threatening situation, the difference between life and death, between suffering and relief, between sickness and healing, often comes down to resources. Imagine someone without the human resources of caring family and friends, people who will provide emotional support and serve as the overwhelmed and frightened person's medical advocate. Or, put yourself in the place of the seriously ill person who lacks the financial resources and networking that it takes to access the top-flight specialty care that they need.

Rosh Hashanah and Yom Kippur come to remind us year-by-year how

³ The www.secretillness.com

fragile and uncertain and constantly changing our lives are. Business reversals, family troubles, suddenly receiving that unwanted passport to the land of the sick – these things happen all the time. As Rabbi Hiyya taught in the Talmud, "There is a wheel that turns in this world" and periods of prosperity and misfortune come to everyone. "Therefore," he continues, "show compassion to others so that they – and God – will show compassion toward you".⁴ But sometimes, when compassion and understanding are most called for, witnessing another person's suffering and forgetting that they could easily be us, we become afraid and our hearts go cold. Many years ago, when I was an Assistant Rabbi in the New York suburbs, I found myself teaching a roomful of ninth graders. We were talking about homeless people and I was disturbed by the callous attitudes they had about the people whom they referred to as "bums." Growing frustrated, I said something like, "The only difference between you and a homeless person walking down the street, smelling terrible and muttering to themselves, is that if you suffered a psychotic break, or made some bad choices and developed a drug habit, or lost your job and could no longer pay your rent, your family would come to your aid. They would make sure you had the best medical care possible. They would grab your hand and pull you up. Well, the only difference between you and that homeless person is that when *they* hit bottom, there was nobody there to grab their hand and pull them up."

⁴ *Babylonian Talmud, Shabbat 151b.*

The kids weren't buying a word of my heavy-handed lecture. "*We could never be homeless,*" they insisted. "That could never happen to us."

At this point, one of the girls in the class slammed her fist on her desk and looked around, glaring at everyone in the group. I will never forget what she said: "You know what, up until yesterday, it was only *other kids' parents* that got divorced – it was never going to happen to me. And then my parents walked into my bedroom last night and told me that they were splitting up." With tears in her eyes she continued, "So don't you *dare ever* tell me that something could never happen to you. Because now I know that *anything* can happen to *anybody*."

All of this brings me to an image that has been sealed into my memory ever since I first saw it, maybe five or six years ago. Driving, I noticed a bumper sticker on the back of the truck in front of me. It simply said, "Why should I pay for *your* healthcare?" It's a textbook rhetorical question, to which the presumed answer is, "I shouldn't – *your* health or sickness, *your* pain, *your* well-being is *your* business, not mine."

"Why should I pay for your healthcare" is not a new question. It is a variation of the second question posed in the entire Torah, and it is one of the oldest questions there is. Cain kills his brother, Abel, and when God asks him where his brother is, Cain responds, "I don't know. Am I my brother's keeper?" Again, the negative

answer is implicit in Cain's rhetorical question – "My brother's well-being is none of my concern – it's not my responsibility to look after him."

To hang some disturbing facts on this question, the presumed answer to Cain's rhetorical question implies that it is none of my concern that life expectancy in United States ranks 47th among the world's nations, or that our infant mortality rate is the fifth highest in the world, or that heart disease, cancer, chronic respiratory diseases and Alzheimer's disease claim nearly 1.5 million American lives each year, all in the context of the world's most technically advanced and expensive healthcare system.

What does Judaism have to say about all of this? Surprisingly, quite a bit!

As we've said, Cain denies that he has any responsibility for his brother, Abel's welfare. But for the rabbis who shaped Judaism as we know it, *responsibility* is the operative term. And this orientation could not be more important.

In the American legal and political tradition, we tend to argue about rights – I have a right to this, you have a right to that.⁵ But the rabbis go at these questions a different way, asking not about individual rights, but rather about individual obligations and communal *responsibilities*. "What are my responsibilities toward myself? What are my responsibilities toward my fellow citizens?" *Those* are

⁵ It's therefore no accident, for example, that we refer to government funded *tzedakah* programs as "entitlements," with all of the resentful emotional baggage the term carries.

traditional Jewish questions. Because of this Jewish orientation toward individual and communal responsibilities rather than individual rights, our rabbis' traditional Jewish sources about caring for the sick can help us, as Jews and as Americans, to think about these highly politicized, life-and-death, contemporary issues in helpful and fresh ways. What follows is the briefest of summaries of a few of these Jewish texts. When this sermon is posted on the CBI website, it will include clickable links to much more material.

First, the sages of the Talmud and later times insisted that your and my going to see a doctor to receive medical care is a *mitzvah*, and by *mitzvah* here we do not mean in the colloquial sense of “good deed,” but the *literal* meaning of *mitzvah*, which is “commandment.” To put it another way, *making a doctor’s appointment when you are not well is a Jewish religious practice, a part of our religion as much as lighting Shabbat candles or fasting on Yom Kippur*. Ironically, this commandment to take care of your own health is derived from a verse in the Torah⁶ concerning someone who causes *injury* to another person. The verse ends with the Hebrew words *v’rapo y’rapay*, “he shall surely be healed.” Our sages derive two important principles from these words. First, they expand the verse beyond an injury *caused by another person* to include the treatment of *any* illness, noticing the emphatic, doubled Hebrew verb for healing, *v’rapo y’rapay*.

⁶ Exodus 21:19

Furthermore, they reject the idea found in some other religious traditions that a physician helping to cure a sick person contradicts or undermines the will of God, because, again, *v'rapo y'rapay*, “you shall surely heal him.”

What's more, for the Torah, healing is not just the concern of the doctor and the patient. In Judaism, our bodies and the life energy that pulsates within them are revered as a divine gift. A beautiful line in the prayers of these High Holy Days asserts, "*Ha-neshamah lakh, v'ha-guf po'olakh*, the soul is Yours [God], and the body is Your handiwork. Have mercy on Your creation." And this is why there are copious Jewish texts dealing with your obligation to look after your own health, and why we say a blessing in gratitude for the proper functioning of our bodies in every morning service, every day.⁷

The importance of life and health are also enshrined in the Jewish principle of *Piku'ach Nefesh*, saving a life at nearly any cost, even if it means violating the prohibitions against working on Shabbat or violating other Jewish norms and rules. In fact, having access to healthcare resources is considered such a *mitzvah* – a sacred obligation – that the Talmud forbids a serious Jew from living in any city that doesn't have a doctor, as well as other health and hygiene-related facilities.⁸

⁷ That blessing, *Asher Yatzar*, is also to be recited when one goes to the bathroom. Even this “profane” act is miraculous and not to be taken for granted, as anyone on kidney dialysis will tell you.

⁸ “A scholar is forbidden to live in any town that does not have these ten things: a court, a charity fund, a synagogue, a bathhouse, a latrine, a doctor, a blood letter, a scribe, a kosher butcher and a teacher of children.” Note that 5 of these 10 items are health-related. *Talmud, Sanhedrin 17b*.

It is worth pausing to think about this in contemporary terms. Just like a young couple shopping for a home might ask the real estate agent about a particular location's access to quality schools or public transportation, the Talmud insists that no self-respecting Jew should live in a place that is not close to doctors and other resources needed to stay healthy and cure illness when it arises.

It's clear from this passage and other rabbinic texts that the Torah is understood to require us to look after *our own* health, but what about that bumper sticker? What about looking after the health of *others*?

The rabbis of the Talmud find multiple supporting Torah verses to bolster the idea that my *neighbor's* health is also my concern. One of these is a verse from Leviticus that we will read here tomorrow afternoon: "Do not stand idly by while your neighbor's blood is shed."⁹

This means, the sages say, that if *you* cannot save the person, you should pay another person to do the rescuing and *spend whatever money* is required in order to save them.¹⁰ They go on to teach that if it later turns out that the rescued individual has the resources to pay for their own rescue, then it is proper for them to

⁹ Leviticus 19:16. There is also a verse in Deuteronomy that says that when you find something lost, you have to return it to its rightful owner. The rabbis deliberately expand the meaning to include an obligation to return *the owner* to *himself or herself* – that is, to return *their life* to them.

¹⁰ *Talmud, Sanhedrin 73a*

reimburse you for their care or cure. But in the moment of danger, you pay for their cure or rescue without hesitation.

This leads us to a huge question. In Jewish law, who pays for healthcare for people who don't have the money to see a doctor?

Rabbi Eliezer Waldenberg, an Orthodox scholar known for his rulings in Jewish medical ethics, dealt with this question of medical care for those unable to pay, not only from the standpoint of patient care, but also with concern for the well-being of *doctors*.

A physician came to the rabbi wanting to know if, as a pious Jew, he was required to treat every poor person who came to his door for free. Rabbi Waldenberg took the question seriously. Yes, caring for the sick is a mitzvah, but do we want to financially impoverish or physically and psychologically burn out the healers in our communities by insisting they treat the sick for free?¹¹ Do we want to make the practice of medicine so punishing, expensive and difficult that we discourage our healers from healing? Here is part of Rabbi Waldenberg's answer:

¹¹ In a related, fascinating ruling, 20th century scholar Rabbi Moshe Feinstein ruled that an Orthodox Jewish doctor who had taken an emergency call on Shabbat was *allowed to drive home after taking the call*, so that he or she would not be discouraged from taking emergency calls in the future! [*Igrot Moshe, Orach Hayyim, 4:80*]

“If there is more than one doctor in a [community], then it would be unfair to impose the burden of providing [free] medical care on one doctor more than on another...

“Accordingly,” he goes on, “the right thing to do is either for the congregation to pay the fee from *tzedakah* funds, or to take up a collection for the required amount, or... to set up a rotation during which each doctor will cover [the needs of indigent patients] for free according to the need, each [doctor] in his turn. And when the congregation has greater ability, the best way is for it to set up a set monthly wage for a doctor who will take on, at no charge, the poor of the congregation, who will come with documentation identifying them...” [Let me interrupt Rabbi Waldenberg to interject here that we at Congregation Beth Israel have such a fund. It is called the Earl Podolnick Eternal Light Fund, and it helps to pay for counseling and psychotherapy services for community members who cannot afford them. The Fund, by the way, is always in need of donations.] Anyway, Rabbi Waldenberg concludes:

“And how good and fine are those sick-care funds, in their widely varying sorts, which we have here in our Holy Land [he lived in Israel]. They symbolize in a united way the three great traits by which our people are distinguished and by which we are identified: compassion, humility and practical benevolence.”¹²

¹² *Tzitz Eliezer*, 19:1.

We have now established that as Jews, we are commanded to tend to our own health and to see to it that others can do the same, no matter what their financial circumstances. Notice, by the way, that nowhere in these texts does it suggest that it is primarily an employer's responsibility to do this. Jewish tradition takes the position that it is the responsibility of everyone in the community to see to it that everyone can get to the doctor. No one subgroup in the community, including doctors or employers, should bear the burden alone. And that is because, again, the mitzvah of "you shall surely heal him" applies to all of us.¹³

Jewish tradition has a great deal to teach us about health and healing. Our texts can take us beyond the limiting language of individual rights into the realm of human dignity and individual and communal responsibility to respond to the suffering of others and also take care of ourselves.

This is striking because as you know, one hears a great deal these days about America's greatness. That sense of greatness is often addressed in a somewhat limited way: our economic greatness, military strength, international influence, the brilliance of our Constitution and political system. And indeed, all of these things have their proper place. But suppose we broadened our discussion of America's

¹³ For reasons of length and complexity, I have omitted Jewish texts dealing with the question of our obligations toward someone who willfully or accidentally neglects their own health. What are our obligations toward such a person? This issue is dealt with in some of the sources cited at the end of this document.

greatness into the realm of our commitments and obligations toward each other? Suppose we sought ways to elevate American greatness by institutionalizing the sort of *hesed* – generosity and loving kindness – that bursts forth in the wake of hurricanes and earthquakes? Suppose, even before wading into the enormous complexities of healthcare policy, we were to weigh and debate Judaism’s proposition that in a truly great nation, the health and well-being of its citizens should be a high priority, and relieving pain and suffering recognized as a civic virtue? Where would such a conversation, not burdened by political tribalism or partisan point scoring, take us?

At this time of year, when our prayer book devotes so much attention to the question of "who shall live and who shall die, who shall see old age and who shall not, who shall be tranquil and who shall be troubled," how can we avoid the truth that our nation’s struggle with healthcare is a *Jewish religious issue*?

“Who shall live and who shall die?” Who, indeed. Perhaps we have it backwards when we assume that we are to ask those questions of God. Perhaps the truth is that as we enter the New Year, God addresses those questions to all of us. “My people, I turn to you. Who shall live and who shall die?” How shall we respond to God? And what could be a more important question?

Shanah Tovah.

SOURCES AND ADDITIONAL READING

The following online sources provide further insight into the Jewish religious dimensions of caring for our health and the health of others.

Much of the discussion of Jewish textual sources in this sermon follows the framework in this article from Chabad.org:

[What Does the Torah Say about Obamacare?](#)

- [Jewish Texts On Healthcare](#) – a study sheet
- [Jewish Views on Healthcare](#) – from URJ.org
- [Jewish Health & Healing Practices](#) – focuses on Judaism’s attitudes toward doctors and the practice of medicine.
- [A Sample of Jewish Texts on Healthcare](#)
- [Health Care](#) – Healthcare portal page of the Reform Movement’s Religious Action Center in Washington, DC
- [Judaism’s Model For Healthcare](#) – Rabbi David Saperstein’s talk on Judaism and healthcare (YouTube).