

Only Medical Marijuana Use Is Moral

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A few months ago, two patients, both of whom I've known for a long time, asked me to prescribe marijuana for them.

The first, let's call him Jonathan, a Jewish sophomore at UCLA, complained of headaches, stomach pains, insomnia, and a recent drop-off in his grade-point average. For the past year he had been smoking marijuana almost daily. Although federal law prohibits the use of marijuana in all 50 states, "medical marijuana" has been legal in California since 1996. He wanted a physician to sanction his use in case he got caught.

The second patient, let's call her Esther, a 68-year-old Jewish grandmother with advanced breast cancer, told me that smoking marijuana relieves her nausea from chemotherapy and restores her appetite better than any other medications. Asking for my counsel on this matter, she, too, requested a prescription.

To determine whether or not to approve Jonathan's and Esther's requests, I decided to examine both the medical and Jewish literature on marijuana use.



In general, Jewish law opposes the use of any substance which could be harmful to one's health—a position based on the ethical principle of *pikuah nefesh*, the obligation to protect a life.

Rabbi Alfred Cohen, an Orthodox *halachist*, argues in *Drugs, A Jewish*



A MAN SMOKING MARIJUANA BY THE SEASHORE.

Perspective that Judaism opposes recreational drug use for three reasons:

1. Judaism condemns the desire to lose oneself through drug use and suggests that true growth and wisdom is achieved through a lifetime of personal and moral choices;

2. When faced with personal challenges, Judaism encourages individuals to find the courage and resources to face life's problems themselves;

3. Judaism emphasizes free will, which can lead to rational decision-making. Drug use, in contrast, can lead to distortions of reality, which makes the duty of *pikuah nefesh* impossible to fulfill.

Rabbi Mark Washofsky, chair of the CCAR Responsa Committee, explains in his book, *Jewish Living: A Guide to Contemporary Reform Practice* (URJ Books & Music), that using drugs for recreation should be avoided "because they are injurious to physical and mental health. Judaism does not countenance the use of drugs for recreation; nor does it recognize any religious value gained from the 'expansion of consciousness.'"

Echoing this sentiment, Rabbi Elliott Dorff, a leading bioethicist in the Con-

servative Movement, writes in *Matters of Life and Death* that "Jewish law prohibits us from endangering our health unnecessarily and views such an act as worse than violating a ritual prohibition." He asserts that Jews may not use drugs recreationally, because people under the influence cannot act responsibly and are therefore a danger to themselves or others.

Writing for young adults in *Jewish Dimensions of Social Justice*, Rabbi David Saperstein, director of the Religious Action Center of Reform Judaism, advises that "in a culture permeated with reliance on drugs from Valium to

aspirin and that suggests in its advertising that whatever feels good must be morally OK, it is necessary to take charge of one's life at an early age. That applies to the choices we make about our bodies, including those concerning drugs, alcohol, sex, and tobacco."

Should I then conclude, for all these reasons, that Judaism opposes the use of marijuana? Not necessarily.

Rabbis have cited the Jewish emphasis on *pikuah nefesh* to support the use of marijuana when used to treat people with serious medical illnesses. Rabbi Washofsky writes that "the tradition permits the use of drugs, as long as we do so for a legitimate medical purpose" (*Jewish Living*). Along these lines, Reform delegates at the Union for Reform Judaism's 67th General Assembly in 2004 passed a resolution that stated in part: "Licensed medical doctors should not be punished for recommending the medical use of marijuana to seriously ill persons." In this sense, Judaism views marijuana like other potent medicines: Its use is guided by weighing its benefits and

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