

“And Live by Them”

Jewish Law and the Infinite Value of Human Life

Parashat Ahare Mot 5782

Pikuach Nefesh... saving a life!

Compiled by Rabbi Alanna Sklover for 6th & 7th graders on Beit Midrash



Let's start with a scenario:

"In the fall of 1854, 500 people died in just ten days in the center of London in the worst of a series of cholera outbreaks. At the time, the way that cholera spread was a mystery, generally attributed to "miasma", or bad air. Dr. John Snow, however, had a different theory: the drinking water was killing people...

After studying the patterns of deaths and plotting their locations on a map overlaid with the various water districts, he identified one water pump on Broad Street as a potential cause. This particular pump was supplied by a company that drew water from an uncontaminated part of the Thames, which led him to the conclusion that it must be a problem with the pump itself, not the overall water supply. Upon closer inspection, it was revealed that the Broad Street pump was only a few feet from an open cesspool, and residents reported that the water has smelled foul a few days earlier. After appealing to community leaders, he took matters into his own hands and removed the handle to the pump."

(excerpted from: <https://www.atlasobscura.com/places/broad-street-cholera-pump>)

Questions:

1. Based on what you already know, what do you think of when you hear "Pikuach Nefesh"?
2. What do you think the limits might be for this commandment (i.e.: are there ever times when you should NOT save a life)?

A Little Bit of Framing:

Sanhedrin 37a

Therefore, Adam was created alone, to teach that anyone who destroys one soul from the Jewish people, it is as if he destroyed an entire world. And anyone who sustains one soul from the Jewish people, the verse ascribes him credit as if he sustained an entire world.

Mishneh Torah, Murderer and the Preservation of Life 11:4

The roof is like every other thing that has danger in itself, and which is possible that a person will make a mistake with it and die. An example is having a pit in one's property, whether it has water or not - one is obligated to make a wall of ten tefachim (80cm./32 in.) around it, or a covering over it, so a person won't fall in it and die. And so too any stumbling block in which there is a danger to life: it is a positive mitzvah to remove it, and to guard against it, and to be exceedingly cautious about it, as it is written "take care of yourself and guard your life" (Deut. 4:9). And if one has not removed the stumbling blocks

that bring people to danger, one has cancelled a positive commandment and transgressed "do not bring bloodguilt" (Deut. 22:8).

Questions:

3. Based on these two texts, come up with three new examples of "saving" a life.
4. Can you think of any issues in today's society that the text from the *Mishneh Torah* might help us to address? How?
5. In a sentence, what is YOUR definition of *Pikuach Nefesh*?

Pikuach Nefesh vs. Observing Shabbat

Yoma 35b

The Sages taught: A poor person, and a wealthy person, and a wicked person come to face judgment before the Heavenly court for their conduct in this world. To the poor, they say: Why did you not engage in Torah? If he says: I was poor and preoccupied with earning enough to eat they say to him: Were you any poorer than Hillel, who was poor and nevertheless attempted to study Torah? They said about Hillel the Elder that each and every day he would work and earn a half-dinar, half of which he would give to the guard of the study hall and half of which he spent for his sustenance and the sustenance of the members of his family. One time he could not find work, and the guard of the study hall did not allow him to enter. He climbed up to the roof, suspended himself, and sat at the edge of the skylight in order to hear the words of the living God from the mouths of Shemaya and Avtalyon. That day was Shabbat eve and it was the season of Tevet, and snow fell upon him from the sky.

When it was dawn, Shemaya said to Avtalyon: Avtalyon, my brother, every day at this hour the study hall is already bright from the sunlight streaming through the skylight, and today it is dark; is it perhaps a cloudy day? They focused their eyes and saw the image of a man in the skylight. They climbed up and found him covered with snow three cubits high. They pulled him from the snow, and washed him and smeared oil on him, and they sat him opposite the bonfire to warm him. They said: This man is worthy for us to desecrate Shabbat for him. Saving a life overrides Shabbat in any case; however, this great man is especially deserving.

Mishnah Yoma 8:5-7

On Yom Kippur, which is called "the Shabbat of Shabbats":

(5) We feed a pregnant woman who smells [and craves food], even unkosher [food] until she recovers. We feed a sick person on the advice of an expert [doctor]. And if there is not an expert there, we feed him on his own word, until he says enough.

(6) If one is seized with a pathological craving [for food], he is to be fed even with unkosher food, until he recovers. A person who is bitten by a mad dog must not be fed any of the dog's liver, but Rabbi Matya ben Charash permits it. Moreover, Rabbi Matya ben Charash said, If a person has a sore throat, it is permitted to put medicines into his

mouth on Shabbat, because of possible danger to his life, and whatever threatens to endanger life supersedes [the observance of] Shabbat.

(7) If debris falls and it is unknown whether any person is buried [under it] or not; or whether s/he is dead or alive, or whether s/he is Jewish or not, we remove the debris from him on Shabbat; if he be found alive, we extricate him, but if he is dead, we leave him.

Questions:

6. In the text from *Yoma 35b*, why did they save Hillel on Shabbat? Name all the reasons you can think of.

7. In the text from *Mishna Yoma*, what new things do we learn about *Pikuach Nefesh*?

8. Are there things in these two texts that you find uncomfortable or that you disagree with? Which things? What questions do they bring up for you?



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Levi HaSadar – לוי הסדר – Some commentaries explain that he arranged mishnayot and was therefore called the arranger [sadar]. The Arukh reads this as HaSarat, meaning he fashioned plaited garments [bigdei serad] or made latticework [ge'anim].

This question was asked before them – נשאלה שאלה זו – בפניהם: This might mean that the students posed the question and their teachers deliberated on the matter.

From where is it derived that saving a life – מניין לפקוח – נפש: The Sages already sought proofs that the three most severe transgressions must be observed even at the cost of one's life. This implies that all other mitzvot, including Shabbat, may be violated to save a life. Therefore, it must be explained that the Gemara previously argued that one may save one's own life by transgressing a mitzva, whereas here the Gemara discusses overriding Shabbat to save another person's life (Tosefet Yom HaKippurim; Siah Yitzhak).

To execute – להקמת – Some commentaries explain that this phrase as meaning: To give testimony about another's liability in a capital crime (Me'iri).

§ The Gemara relates: It once happened that Rabbi Yishmael, and Rabbi Akiva, and Rabbi Elazar ben Azarya were walking on the road, and Levi HaSadarⁿ and Rabbi Yishmael, son of Rabbi Elazar ben Azarya, were walking respectfully behind them, since they were younger and did not walk alongside their teachers. This question was asked before them:ⁿ From where is it derived that saving a lifeⁿ overrides Shabbat?

Rabbi Yishmael answered and said that it is stated: "If a thief be found breaking in and be struck so that he dies, there shall be no blood-guiltiness for him" (Exodus 22:1). Now, if this is true for the thief, where there is uncertainty whether he comes to take money or to take lives, and it is known that bloodshed renders the land impure, since it is stated about a murderer: "And you shall not defile the land" (Numbers 35:34), and it causes the Divine Presence to depart from the Jewish people, as the verse continues: "In the midst of which I dwell, for I the Lord dwell in the midst of the children of Israel" (Numbers 35:34), and even so the home owner is permitted to save himself at the cost of the thief's life, then a fortiori saving a life overrides Shabbat.

Rabbi Akiva answered and said that it is stated: "And if a man comes purposefully upon his neighbor to slay him with guile, you shall take him from My altar, that he may die" (Exodus 21:14). The phrase "take him from My altar" implies that if the murderer is a priest and comes to perform the service, one does not wait for him to do so but takes him to his execution immediately. But one should not take him from on top of My altar. If he already began the service and is in the midst of it, one does not take him down from the altar immediately but instead allows him to finish his service. And Rabba bar bar Hana said that Rabbi Yohanan said: They taught only that a priest is not removed from the altar in order to executeⁿ him for murder,

וכבר היה רבי ישמעאל ורבי עקיב ורבי אלעזר בן עזריה מהלכין בדרך ולוי הסדר ורבי ישמעאל בנו של ר' אלעזר בן עזריה מהלכין אחריהם ונשאלה שאלה זו בפניהם: מניין לפקוח נפש שדוחה את השבת?

נענה רבי ישמעאל ואמר: "אם בפוחתרת ימצא הגנב". ומה זה שפק על ממון בא ספק על נפשות בא ושפיכות דמים מטמא את הארץ וגו' לשכינה שתסתלק מישראל ניתן להצילו בנפשו. קל וחומר לפקוח נפש שדוחה את השבת.

נענה רבי עקיבא ואמר: "וכי יויד איני על רעהו וגו' מעם מזבחי תקחנו למות" מעם מזבחי – ולא מעל מזבחי. ואמרו רבא בר בר חנה אמר רבי יוחנן: לא שנו אלא להקמת.

Perek VIII Daf 85 Amud b

אבל להחיות – אפילו מעל מזבחי. ומה זה, שפק יש ממש בדרךיו ספק אין ממש בדרךיו, ועבודה דוחה שבת – קל וחומר לפקוח נפש שדוחה את השבת. נענה רבי אלעזר ואמר: ומה מילה, שהיא אחד ממאמתי וארבעים ושמונה איברים שבאדם – דוחה את השבת. קל וחומר לכל גופו – שדוחה את השבת.

but to preserve a life, e.g., if the priest can testify to the innocence of one who is sentenced to death, one removes him even from on top of My altar, even while he is sacrificing an offering. Just as this priest, about whom there is uncertainty whether there is substance to his words of testimony or whether there is no substance to his words, is taken from the Temple service in order to save a life, and Temple service overrides Shabbat, so too, a fortiori, saving a life overrides Shabbat. Rabbi Elazar ben Azarya answered and said: Just as the mitzva of circumcision,ⁿ which rectifies only one of the 248 limbs of the body, overrides Shabbat, so too, a fortiori, saving one's whole body, which is entirely involved in mitzvot, overrides Shabbat.

Other tanna'im debated this same issue. Rabbi Yosei, son of Rabbi Yehuda, says that it is stated: "But keep my Shabbatot" (Exodus 31:13). One might have thought that this applies to everyone in all circumstances; therefore, the verse states "but," a term that restricts and qualifies. It implies that there are circumstances where one must keep Shabbat and circumstances where one must desecrate it, i.e., to save a life. Rabbi Yonatan ben Yosef says that it is stated: "For it is sacred to you" (Exodus 31:14). This implies that Shabbat is given into your hands, and you are not given to it to die on account of Shabbat.

רבי יוסי ברבי יהודה אומר: "את שבתותי תשמורו": יכול לכל – תלמוד לומר: "אך" – חלק. רבי יונתן בן יוסף אומר: "כי קודש היא לכם" – היא מסורה בידיכם, ולא אתם מסורים בידיה.

זמה מילה וכו' – Rabbeinu Hananel explains that circumcision, which is performed on one limb, saves one from death because a person who is uncircumcised is liable to receive karet. Furthermore, Moses was almost killed by the angel of death because he did not circumcise his son (see Exodus 4:24-26). Moses was saved by his wife Zipporah, who took a stone and circumcised her son. This case is the source for the Gemara's a fortiori reasoning.

4

And the children of Israel shall keep Shabbat – וְשָׁמְרוּ בְּנֵי יִשְׂרָאֵל אֶת הַשַּׁבָּת: It seems that the support for this argument is the entire verse, since “the children of Israel shall keep Shabbat” so that they will “observe Shabbat” in the future. The commentators note that since saving a life overrides Shabbat even when the individual will live for only a short while, and even when it is clear that he will not be able to observe future *Shabbatot*, the main point here is that it is permitted to desecrate Shabbat for the sake of fulfilling the mitzvot (*Tosefet Yom HaKippurim*).

And not that he should die by them – וְלֹא שָׁיְמוּת בָּהֶם: One must see to it that the mitzvot do not in any way cause a person's death. Therefore, both certain and uncertain risk to life override the observance of mitzvot (see *Tosafot*).

Death and Yom Kippur atone – מִיָּתוּת וְיוֹם הַכִּפּוּרִים מְכַפְּרִים: The letter *vav* in this statement, translated as the word: And, may also mean: Or. That is, each one of these atones when accompanied by repentance. This is clear from the corresponding passage in the Jerusalem Talmud.

I will sin and Yom Kippur will atone – אֶחָטָא וְיוֹם כִּפּוּר יְכַפֵּר: One who relies on the Judge of the world to atone for him, believing that this gives him license to sin, has no chance for atonement at all, even on Yom Kippur (Rabbeinu Yehonatan).

HALAKHA

I will sin and I will repent – אֶחָטָא וְאָשׁוּב: If one says: I will sin and repent, or: I will sin and Yom Kippur will atone, he is given no chance to repent (*Rambam Sefer HaMadda, Hilkhot Teshuva* 4:1).

Transgressions between a person and another – עֲבִירוֹת – יוֹם כִּפּוּר מְכַפֵּר: Yom Kippur atones only for transgressions committed against God, whereas transgressions committed against one's fellow man are not forgiven until the sinner rights the wrong and appeases his friend (*Rambam Sefer HaMadda, Hilkhot Teshuva* 2:9).

רַבִּי שִׁמְעוֹן בֶּן מֵנַסְיָא אָמַר: “וְשָׁמְרוּ בְּנֵי יִשְׂרָאֵל אֶת הַשַּׁבָּת” אָמְרָה תּוֹרָה: חֲלַל עָלָיו שַׁבָּת אַחַת, כְּדֵי שְׂיִשְׁמֹר שַׁבָּתוֹת הַרְבֵּי. אָמַר רַב יְהוּדָה אָמַר שְׂמוּאֵל: אִי הוּאֵי הֵתָם הָיָה אֲמִינָא: דִּי דֵי עֲרִיפָא מְדִידָהוּ, וְחֵי בָהֶם – וְלֹא שְׂיְמוּת בָּהֶם.

אָמַר רַבָּא: לְכוּלְהוּ אֵית לְהוּ פִּירְכָא, בְּרַ מְדִשְׁמוּאֵל דְּלִית לֵיהּ פִּירְכָא. דְּרַבִּי יִשְׁמַעְיָאֵל – דִּילְמָא כְּדָרְבָא, דְּאָמַר רַבָּא: מָאֵי טַעְמָא דְּמַחְתֵּרַת – הַזְקָה אִין אָדָם מְעַמִּיד עַצְמוֹ עַל מְמוּנָהּ, וְהָאֵי מִידַע יָדַע דְּקָאֵי לְאִפְיָהּ, וְאָמַר: אִי קָאֵי לְאִפְיָהּ – קָטִילָנָא לֵיהּ, וְהַתּוֹרָה אָמְרָה: בָּא לְהַרְגֵךְ – הַשֶּׁכֶם לְהַרְגוּ, וְאִשְׁכַּחְתּוּן וְדָאֵי סַפֵּק מְנָא לָךְ?

דְּרַבִּי עֲקִיבָא נָמִי, דִּילְמָא כְּדָרְבָאֵי. דְּאָמַר אֲבִי: מְסַרִּין לֵיהּ זִוְגָא דְּרַבְנָן, לִידַע אִם מְמַשׁ בְּדַבְרֵיוּ. וְאִשְׁכַּחְתּוּן וְדָאֵי סַפֵּק מְנָא לָךְ?

וְכוּלְהוּ אִשְׁכַּחְתּוּן וְדָאֵי סַפֵּק מְנָא לָךְ? וְדִשְׁמוּאֵל וְדָאֵי לִית לֵיהּ פִּירְכָא. אָמַר רַבִּינָא וְאִי תִימָא רַב נַחְמָן בַּר יִצְחָק: טָבָא חָדָא פְּלִפְלֵתָא חֲרִיפָא מְמַלָּא צָנָא דְקָרִי.

מִתַּנִּי תַּטָּאת וְאָשָׁם וְדָאֵי – מְכַפְּרִין. מִיָּתוּת וְיוֹם הַכִּפּוּרִים – מְכַפְּרִין עִם הַתְּשׁוּבָה. תְּשׁוּבָה מְכַפֵּרַת עַל עֲבִירוֹת קְלוֹת, עַל עֵשָׂה וְעַל לֹא תַעֲשֶׂה, וְעַל הַתְּמוּרוֹת הוּא תּוֹלָה עַד שְׂיִבָא יוֹם הַכִּפּוּרִים וְיִכְפֵּר. הָאֹמַר “אֶחָטָא וְאָשׁוּב”, אִין מְסַפִּיקִין בִּידוֹ לַעֲשׂוֹת תְּשׁוּבָה, “אֶחָטָא וְיוֹם הַכִּפּוּרִים מְכַפֵּר” – אִין יוֹם הַכִּפּוּרִים מְכַפֵּר. עֲבִירוֹת שְׂבִין אָדָם לְמָקוֹם – יוֹם הַכִּפּוּרִים מְכַפֵּר. עֲבִירוֹת שְׂבִין אָדָם לְחֵבִירוֹ – אִין יוֹם הַכִּפּוּרִים מְכַפֵּר, עַד שְׂרִצָּה אֶת חֵבִירוֹ.

Rabbi Shimon ben Menasya said: It is stated: “And the children of Israel shall keep Shabbat,” to observe Shabbat” (Exodus 31:16). The Torah said: Desecrate one Shabbat on his behalf so he will observe many *Shabbatot*. Rav Yehuda said that Shmuel said: If I would have been there among those Sages who debated this question, I would have said that my proof is preferable to theirs, as it states: “You shall keep My statutes and My ordinances, which a person shall do and live by them” (Leviticus 18:5), and not that he should die by them.⁴ In all circumstances, one must take care not to die as a result of fulfilling the mitzvot.

Rava commented on this: All of these arguments have refutations except for that of Shmuel, which has no refutation. The Gemara explains Rava's claim: The proof brought by Rabbi Yishmael from the thief who breaks in could perhaps be refuted based on the principle of Rava, as Rava said: What is the reason for the *halakha* about the thief who breaks in? There is a presumption that while a person is being robbed he does not restrain himself with respect to his money. And this thief knows that the homeowner will rise to oppose him and said to himself from the start: If he rises against me, I will kill him. And the Torah states: If a person comes to kill you, rise to kill him first. We found a source for saving a life that is in certain danger, but from where do we derive that even in a case where there is uncertainty as to whether a life is in danger one may desecrate Shabbat? Consequently, Rabbi Yishmael's argument is refuted.

The proof of Rabbi Akiva can also be refuted. He brought the case of removing a priest from altar service in order to have him testify on another's behalf, since his testimony might acquit the accused and save him from execution. But perhaps that *halakha* is in accordance with the opinion of Abaye, as Abaye said: If the accused says he has a witness in his favor, we send a pair of rabbis on his behalf to determine if his words of testimony have substance. These rabbis would first check that the testimony of the priest is substantive before removing him from the altar. If so, we have found that one interrupts the Temple service to save a life from certain danger, but from where do we derive that one interrupts the Temple service when the likelihood of saving life is uncertain?

And for all the other arguments as well, we have found proofs for saving a life from certain danger. But for cases of uncertainty, from where do we derive this? For this reason, all the arguments are refuted. However, the proof that Shmuel brought from the verse: “And live by them,” which teaches that one should not even put a life in possible danger to observe mitzvot, there is certainly no refutation. Ravina said, and some say it was Rav Nahman bar Yitzhak who said with regard to this superior proof of Shmuel: One spicy pepper is better than a whole basket of squash, since its flavor is more powerful than all the others.

MISHNA A sin-offering, which atones for unwitting performance of transgressions punishable by *karet*, and a definite guilt-offering, which is brought for robbery and misuse of consecrated items, atone for those sins. Death and Yom Kippur atone⁴ for sins when accompanied by repentance. Repentance itself atones for minor transgressions, for both positive mitzvot and negative mitzvot. And repentance places punishment for severe transgressions in abeyance until Yom Kippur comes and completely atones for the transgression. With regard to one who says: I will sin and then I will repent,⁵ I will sin and I will repent, Heaven does not provide him the opportunity to repent, and he will remain a sinner all his days. With regard to one who says: I will sin and Yom Kippur will atone for my sins, Yom Kippur does not atone for his sins.⁶ Furthermore, for transgressions between a person and God, Yom Kippur atones; however, for transgressions between a person and another,⁶ Yom Kippur does not atone until he appeases the other person.

my JEWISH LEARNING**Pikuach Nefesh: The Jewish Value of Saving a Life**

The primacy of human life is a fundamental principle of Jewish law and a core value of Jewish tradition.

BY RABBI ASHER LOPATIN

One of the most basic principles in Jewish law is that human life comes first. Almost any religious commandment can be broken in order to save the life of a human being.

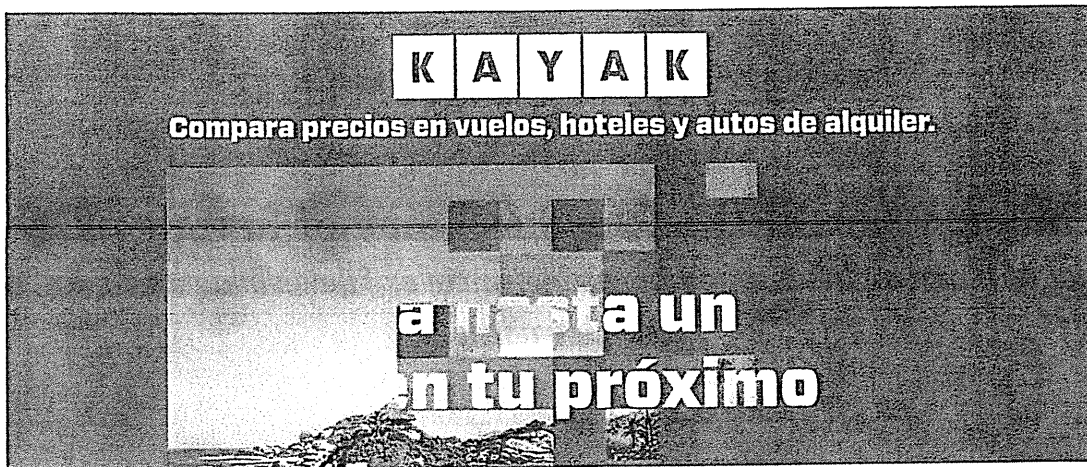
While the Torah goes to great lengths to tell us how important some of the commandments are, the start of the Torah foreshadows that saving human life will be more important: “And God created man in His image, in the image of God He created him.” (Genesis 1:27 ^ו) Clearly, the life of a human being is special and unique, and as would become clear later in the Torah, demands preservation beyond anything else.

This idea, known as *pikuach nefesh*, is derived from two main sources. One, preferred by the 12th century scholar Maimonides, is the verse in (Leviticus 18:5 ^ו): “You shall keep My laws and My rules, by the pursuit of which man shall live.” The talmudic sage Rabbi Akiva comments that the verse says “by the pursuit of which man shall live” — not “shall die.” Built into every mitzvah — with some exceptions — is the precedence of human life. Keep the Sabbath — but if you have to violate its laws to perform life-saving surgery or get someone to the hospital, do it.

Many rabbis, Maimonides included, apply this principle only to the life of a fellow Jew. In a sense, they are saying that a Jew should never do a commandment that puts another Jew at risk. Over the centuries, the rabbis have successfully resorted to roundabout explanations so that by now there is now a consensus that the lives of non-Jews must be saved as well. But the core of this first understanding is the idea that *pikuach nefesh* is basically a Jewish concept embedded in commandments that apply only to Jews.

This read of *pikuach nefesh* tells us clearly that commandments are not about restrictions on life — though they might restrict our actions to some extent — nor are they about pulling us back from life. Rather, the mitzvot are supposed to enable us to live in the image of God to the fullest extent possible, to be an integral part of life in this world. If a mitzvah even runs the risk of stopping us from living, it is pushed away by *pikuach nefesh*, the ultimate concern for life. This understanding pushes us to reflect on our own lives: Are we life affirming? Are we acting in a way that celebrates the God-infused life we have been given?

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The second source, preferred by the 13th century sage Nahmanides, is also from Leviticus: “the stranger and the citizen shall live with you.” According to the Talmud, this verse tells us that we have a positive commandment to preserve life, even if it means violating other ritual or ethical commandments. As opposed to being a built-in exception to every commandment, this source tells us that saving lives is a positive commandment on its own.

Nahmanides is clear that this applies to gentiles as well as Jews. We are all human beings created in the image of God. Whether Jewish or not, citizen or stranger, the commandment of saving a life is preeminent.

This community-minded understanding of pikuach nefesh teaches us that not only are we to celebrate mitzvot as affirming of our creation in the image of God, but also as vehicles to affirm that others are created in the image of God as well. Our tradition aims to create a society which celebrates the creation of all of humanity. Nahmanides’ interpretation ask us: Are we creating a society on the principles of pikuach nefesh, where everyone is looking out for the life, safety and well-being of the “stranger and the citizen” around us?

Of course, nothing in Judaism is so simple – nor should it be. So there are exceptions to pikuach nefesh. The Talmud tells us that a person cannot kill another person to save their own life. Adultery and idolatry are also excluded; according to most authorities, a person must give up their life rather than violating these prohibitions. The Talmud also tells us that if the violation would be public — and especially if it’s a time when the ruling authorities are seeking to get Jews to violate the Torah’s commandments — you must give up your life rather than commit even the smallest infraction.

There is one other important exception to saving life as declared by Rabbi Akiva: If the choice is between saving your own life or someone else’s, save your own first. If you are in the desert and have only one bottle of water, and you need it all to survive, drink the water — even if it means your friend gets stuck without any water and dies.

All of this was hotly debated in the medieval period because the basic idea of never having a commandment come at the expense of human life was so central. Our tradition just cannot conceive of it in a normal world. In the late Middle Ages, Rabbi Menachem Meiri said that while the Talmud seemed to exclude many non-Jews from the laws of pikuach nefesh, had it known of the civilized societies of Meiri’s era (and ours), it

would have been more explicit that everyone living in civilized society, Jew or non-Jew, is covered by the law of pikuach nefesh. Their lives must be saved, even if that meant violating almost all of the central commandments of Judaism.

Meiri understood that pikuach nefesh is not a loophole. It is a way to view the sanctity of human life as central to our tradition, our society and our commandments.

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ORTHODOX UNION

Saving a Life on Shabbat

Rabbi Dr. Asher Meir

A previous column discussed the prohibition of extinguishing a fire on Shabbat. We should have mentioned that this prohibition, like all Shabbat prohibitions, is suspended if there is any chance of danger to life. Even if there is a doubt, we should not waver or delay to decide the halakha; the Yerushalmi says of this “One who asks in this situation is reproachable, and one who is asked is as one who spills blood” (Yerushalmi Yoma 8:5). The authorities should make clear in advance that saving life overrides Shabbat prohibitions, so that they shouldn’t be consulted at the last minute when every second counts.

The sanctity of life is a momentous value in Torah law. With few exceptions, all transgressions are permitted in the case of significant danger to life, even if the danger is not certain. This is learned from the verse, “Keep My laws and My statutes, which a man will keep and live by them – I am HaShem” (Vayikra 18:5). HaShem gives us His mitzvot to live by them – not to die by them.

But the emphasis on the precedence of preserving life over Shabbat observance is particularly great. In addition to the exhortation to live by the mitzvot and not to die by them, which applies to all mitzvot, our Sages found six different sources which teach us that Shabbat prohibitions are suspended in the case of danger to life! (Yoma 85a-b)

It seems that this profusion of sources comes to emphasize a special connection between Shabbat and preservation of life. Indeed, many authorities consider that whereas other prohibitions are merely suspended in the face of danger (dechuya), Shabbat is actually waived (hutra).

What is the special connection between Shabbat and saving life? Rav Natan of Breslav explains that Shabbat draws all its meaning from the Jewish people who observe it. The Shabbat is called the bride of Israel. It is also called a gift to the Jewish people. The death of a Jew thus diminishes the splendor of Shabbat no less than does the performance of melakha.

Rav Natan goes so far as to say that the death of a Jew is itself a “chilul Shabbat” – a desecration of the Sabbath! “Desecration” means literally a diminution of the sacred, and that is what occurs when Israel is less able to sanctify the Shabbat because of a death (Likutei Halakhot Shabbat 7:11).

(In previous columns we cited other halakhot that hint that the Shabbat draws its holiness from those who keep it. The Prisha OC 167:3b explains that this is why certain customs of Divine protection are kept on Shabbat, even though they are suspended on Seder night, the “night of watching”; we also have cited the derivation which likens Shabbat to a “city of refuge”, which only protects those who seek its protection – Eiruvin 51a (see also KSA 96:12).

One of the Talmud’s six reasons is: “Desecrate one Sabbath for him, so that he may keep many Sabbaths”. If “keeping” Shabbat meant only refraining from work, then there is no reason to desecrate Shabbat now so as not to desecrate it later. But keeping Shabbat is itself the source of the holiness of the Sabbath; therefore, by saving a Jewish life we are ultimately adding sanctity to the Sabbath day and not removing it.

Not only rescue from physical death but even rescue from the spiritual death of apostasy justifies violating Shabbat prohibitions (SA OC 306:14; KSA 92:10). The same explanation applies. According to Rav Natan’s reasoning, a Jew who denies the Shabbat is also a desecration of the Shabbat. This danger also demands that we diminish the holiness of Shabbat in order to *overcome it greatly.*

9