

Jewish Contemporary Ethics Part 39: Medical Ethics 1 – The Value of Life

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The next section of this series will analyse four general themes which are fundamental to Jewish medical ethics. While these articles are designed to give an overview of principles and not to deal with complex

examples or to serve as a halachic guide, there will inevitably be some discussion of specific cases. However, any personal questions about medical ethics should be posed to a rabbinic authority, alongside professional medical care, since every case is complex, nuanced and unique. These articles should not serve as authoritative regarding practical law.

The four themes are: (i) the primacy of life; (ii) the obligation to save others; (iii) whether unnecessary medical procedures are permitted; (iv) issues pertaining to the end of life.

The principle of saving life, known as *pikuach nefesh*, is paramount in Judaism. Saving a life takes priority over all other commandments, except for the three cardinal sins of idolatry, murder and illicit relationships (Talmud Sanhedrin 74a). This means, for example, that one is obligated to break Shabbat if there is a concern that someone's life is at risk. The source for this is the verse: "You shall therefore keep my statutes and my ordinances; which a person shall do **and live by them**. I am the Lord". The Talmud comments that this means one should "live by the commandments, and not die by them" (Yoma 85a-b).

The primacy of life is also highlighted by the famous Talmudic adage: "one who saves a life is considered to have saved an entire world" (Mishnah Sanhedrin 4:9). When there is a justified, genuine and immediate concern for someone's life, Rabbi Shimon ben Tzemach Duran (1361-1444) rules that no expert –

medical or halachic – should be consulted, lest treatment be delayed.

Professor of Medicine at Mount Sinai School of Medicine in New York, and expert on Medical Ethics, Dr. Fred Rosner, recalled his first Shabbat working as a hospital doctor in approximately 1960. Upon hearing his name paged over the loudspeaker, he described running down eight flights of stairs and across the street to where the telephone operators were located, in order to avoid using the nearest phone (which ordinarily would be forbidden on Shabbat), only to find that he was needed on the sixth floor of the building he had just come from.

He writes: "this kind of activity continued throughout that Shabbat. On Saturday night, I was totally exhausted and called Rabbi Moshe Feinstein (1895-1986), who emphatically told me that I had done the wrong thing. I should have picked up the nearest telephone and responded to the call because it might have been an emergency. 'But 99 calls out of 100 are not emergencies', I protested. 'Even if only one out of 100 calls is a real emergency', replied Rabbi Feinstein, 'you must answer all 100, because you do not know which call will be that emergency'" (*Journal of Halacha in Contemporary Society* 20:48-49).

