

LO TA'AMOD AL DAM REYECHA

To What Extent Do We Go to Save Lives?

Teacher's Guide

Saving lives is one of the most basic and obvious acts of human goodness, and is of paramount importance in Jewish practice. Moreover, the Torah considers saving lives an absolute obligation, and not merely a “good deed.” But how far does the obligation to save lives extend? In this shiur we will examine a passage of the Talmud about saving lives and explore some of the Talmudic literature that answers such **key questions** as:

KEY QUESTIONS

- To what extent is a bystander obligated to take proactive measures to save a life?
- Does Judaism require spending money to save a life? If so, up to how much money?
- Who pays the bill for a rescue mission that turns out to be unnecessary?
- Do I have to endanger myself to save someone else who is in danger?

CLASS OUTLINE

Section I. The Obligation to Save Human Life

Case 1. The Bystander Effect and the Mitzvah to Save a Life – Minimal Effort

Case 2. The Blood Drive – Moderate Effort

Case 3. The Suri Feldman Case – Extensive Personal Effort

Section II. Spending Your Money to Save Others

Case 4. The Fallen Climber in the Andes – Who Foots the Bill for the Rescue Mission?

Case 5. The \$36,000 Hospital Bill – How *Much* Money Do You Have to Spend to Save a Life?

Case 6. The Unnecessary Rescue Mission – Who Pays?

Section III. Endangering Your Life to Save Others

Case 7. The Turkish Earthquake Volunteer – Can You Endanger Yourself to Save Another?

Note: This shiur is not intended as a source of practical *halachic* (legal) rulings. For matters of halachah, please consult a qualified *posek* (rabbi).

SECTION I The Obligation to Save Lives

One may think that the moral ethic of saving lives is universal, but do we always see that in practice?

Case 1. The Bystander Effect and the Mitzvah to Save a Life - Minimal Effort

In April 2010, Hugo Alfredo Tale-Yax was a thirty-one-year-old man who had jumped to the aid of a woman attacked on 144th Street at 88th Road in Jamaica, NY at 5:40 AM. In attempting to save her life, he chased the assailant, but was stabbed. He collapsed onto the sidewalk.

An hour and twenty minutes later his dead body was accidentally found by firefighters, who were responding to another 911 call for a non-life-threatening injury. A shocking surveillance video revealed that as Mr. Tale-Yax lay in the street, nearly twenty-five people indifferently strolled past him. Some of the passersby paused to stare at Hugo Alfredo Tale-Yax last Sunday morning and others leaned down to look at his face.

In the wake of the attack, a man came out of a nearby building and took a cellphone photo of the victim before leaving. And in several instances, pairs of people gawked at Tale-Yax without doing anything.

Policemen said they received four 911 calls at around the time of the attack reporting a woman screaming, but found nothing. They received no other 911 calls. (Based on an April 25, 2010 New York Post article)

In 1968, social science researchers John Darley and Bibb Latané coined the term “bystander effect” for such cases where onlookers do not come to the aid of a victim. In fact, they discovered that the more bystanders who witness an emergency, the less chance they will actually help out!

How does the Torah teach us to react if someone's life is endangered?

Source 1. Sanhedrin 73a – We must attempt to save someone who is in danger.

From where do we know that one who sees someone drowning, being dragged by a wild animal, or being threatened by robbers, is bound to save him? We learn it from the verse (Vayikra/Leviticus 19:16), “Do not stand aside when your fellow's blood is being shed.”

מִנֵּין לְרוֹאֵה אֶת חֲבִירוֹ שֶׁהוּא
טוֹבֵעַ בְּנֶקֶר אוֹ חִיָּה גּוֹרְתָתוֹ אוֹ
לְסִטִּין בָּאִין עָלָיו שֶׁהוּא חַיִּיב
לְהִצִּילוֹ? תְּלַמּוּד לֹא מֵר, “לֹא
תַעֲמוּד עַל דַּם רֵעֶךָ.”

The Torah thus teaches that a person must not stand idly by when his fellow's blood – his life – is at stake. In one sentence, the Torah gives us a very clear directive. The Gemara interprets this verse as applying to bystanders witnessing an emergency situation or crime threatening someone's wellbeing.

What is the Jewish value that underlies this mitzvah? It is based on the following Talmudic observation explaining why God created the animal kingdom in pairs, yet mankind, Adam, was created alone:

Source 2. Sanhedrin 37a – Saving one life is comparable to saving the whole world.

Therefore man was created alone, to teach you that anyone who destroys one life is considered by the Torah as if he has destroyed the entire world, and anyone who preserves one life is considered by the Torah as if he has preserved the entire world.

לְפִיכֶן נִבְרָא אָדָם יְחִידִי,
לְלַמְדֶּךָ שְׂפָל הַמַּאֲבֵד נֶפֶשׁ
אֶחָת מֵעֵלָה עָלָיו הַכְּתוּב
כְּאִילוֹ אֵבֶד עוֹלָם מְלֵא, וְכֹל
הַמְקַיִּים נֶפֶשׁ אֶחָת מֵעֵלָה עָלָיו
הַכְּתוּב כְּאִילוֹ קִיַּם עוֹלָם מְלֵא.

On account of the infinite value of a human life, we are prohibited from standing by when somebody's life is endangered; there is a proactive obligation to save him.

Does this depend on the expected duration or quality of the life in question?

Source 3. Rabbi Akiva Tatz, M.D., Dangerous Disease and Dangerous Therapy in Jewish Medical Ethics , Targum Press 2010, p. 33 – Judaism recognizes the primary importance of the value of life.

In the hierarchy of Torah values, the saving of life is a priority. It supersedes virtually all other obligations and mandates virtually unlimited effort...

(i) even where the risk to life is small or unclear – virtually any risk to life mandates extreme effort to avert that risk;

(ii) even where there is no guarantee that the life at risk will be saved – even a small chance of success mandates extreme effort to save that life;

and even when (i) and (ii) co-exist; that is, where the risk to life is small or indefinite and where success is unlikely in the event that the risk turns out to be real;

(iii) even where the life to be saved is of “low quality”;

(iv) even where the life to be saved is expected to be of short duration;

and even when (iii) and (iv) co-exist; that is where a life of very poor quality can be extended only for a very short period.

The obligation to save a life applies to everybody – not merely to doctors, nurses, police and firefighters. Whoever can be of assistance must do so, each of course according to his means. Sometimes, a phone call is all one can do; sometimes, meeting one's duty will require greater effort and sacrifice.

Case 2. The Blood Drive – Moderate Effort

The Hillel director at Hartley University had to undergo emergency surgery Sunday evening. Rina and Sara set up a Sunday blood drive. Because the director's blood type is rare, finding appropriate donors was not an easy task. Late in the day, still in need of more donations, they found themselves trying hard to convince Miri, who has the right blood type, to donate. But Miri objected, explaining that she gets extremely queasy around blood, and once even fainted after donating blood. Besides, she said, she would be having a very important final the next morning and was on her way to the library to study. She felt it was not fair for them to pressure her into doing something that should be left up to her personal discretion.

Can you make a case for Miri not having to give blood?

Can you come up with a reason that it is not just nice for her to give, but that she must?

The Talmud (the continuation of Source 1) points to a second biblical source that serves as the basis for the obligation to save endangered lives.

Let's keep a question in the back of our minds: **Why would the Torah include two separate verses to teach the same principle?** The answer will be the key to solving Miri's dilemma...

Source 4. Sanhedrin 73a – One must exert effort to save lives.

Question: Is the imperative to save a life really derived from [Vayikra 19:16], “**Do not stand aside** when your fellow's blood is being shed?” Is it not derived from the following teaching [Baba Kama 81b] – “What is the source that one must restore another's body if it is in danger of being lost? The Torah teaches us this by saying, ‘**You should return it** (not only his lost object but also his endangered body) **to him**’ (Devarim/Deuteronomy 22:2)?”

The answer is: If we had learned the obligation to save an endangered person only from the verse, “You should return it to him,” I might have mistakenly thought that my responsibility is limited only to when I can save someone by myself, but there is no necessity to exert oneself and hire others. The Torah, therefore, writes the verse [Vayikra 19:16], “Do not stand aside...” [which teaches a greater level of responsibility for saving lives, by hiring others to do so, when I am personally unable].

וְהָא מְהֵכָא נִפְקָא ?
מְהֵתָם נִפְקָא [בבא
קמא פא :] : “אֲבֵרַת
גּוֹפּוֹ מִנֵּיִן תִּלְמוּד לִו
מֵר וְהִשְׁבַּתוּ לוֹ.”

אִי מְהֵתָם הֵינָה אֲמִינָא
הֵינָה מִלֵּי בְּנִפְשִׁיהּ
אֲבָל מִיִּטְרַח וּמִיִּגַר
אֲגוּרֵי אִימָא לֵא. קָא
מִשְׁמַע לָן.

The obligation to save another's life can be derived from the obligation to return lost property. If a person is obligated to prevent another from losing his property, it stands to reason that he is certainly obligated to ensure that he won't lose his life. Even so, the Torah records a specific obligation to save a life, "Do not stand aside when your fellow's blood is being shed." This "extra" instruction teaches us that a person is required to make an effort and go out of his way to do so, including hiring others to save a life. (See below, Section II, concerning making a personal financial sacrifice).

(The Torah still needs to state the verse "You should return it to him" to teach the general responsibility of returning lost objects.)

The idea of saving a life, including making considerable effort, is ruled by the Shulchan Aruch.

Source 5. Shulchan Aruch Choshen Mishpat 426:1 – Our Gemara is quoted as halachah.

(a) One who saw another drowning, or threatened by robbers or by a wild animal, and could have either saved him himself or hired others to save him – and he did not – or (b) someone who heard that gentiles or informers are plotting against someone or preparing to entrap him – and he did not reveal this to his friend and tell him – or (c) someone who knew that a gentile or violent man was approaching his friend, and he could have appeased him and changed his attitude towards his friend – and he did not appease him – in all such situations, he has transgressed, "Do not stand aside when your fellow's blood is being shed."

הְרוּאָה אֶת חֲבִירוֹ טוֹבֵעַ בַּיָּם
אוֹ לִיְסוּטִים בְּאֵין עֲלָיו אוֹ חֲתָה
רָעָה בְּאֵה עֲלָיו, וְיִכּוֹל לְהַצִּילוֹ
הוּא בְּעֵצְמוֹ אוֹ שִׁישְׁכּוֹר אַחֲרֵים
לְהַצִּיל וְלֹא הִצִּיל, אוֹ שֶׁשָּׁמַע
עֲבוֹ"ם אוֹ מוֹסְרִים מִחֲשָׁבִים
עֲלָיו רָעָה אוֹ טוֹמְנִים לוֹ פֶּחַ
וְלֹא גִילָה אֵיזֵן חֲבִירוֹ וְהוֹדִיעֵנו,
אוֹ שֶׁיָּדַע בְּעֵבוֹ"ם אוֹ בְּאֵנָס
שֶׁהוּא בָּא עַל חֲבִירוֹ וְיִכּוֹל
לְפִיֶּסוֹ בְּגִלְל חֲבִירוֹ וְלִהְסִיר
מֵה שֶׁבָּלְבוֹ וְלֹא פִּיֶּסוֹ וְכִיוֹ
צֵא בְּדַבָּרִים אֵלָיו, עֲבַר עַל לֹא
תַעֲמוֹד עַל דַּם רֵעֵךְ.

(See also the Rambam's Laws of Murder and Saving Life 1:14)

Based on these principles, it appears clear that Miri should donate blood to save a life, even if this involves an unwanted experience of discomfort.

The following episode illustrates to what extent people go to save lives. In the Suri Feldman case, a large group of people left the comfort of home and family for an extended time to search for a 14-year-old who had disappeared in a forest. Here we see the Torah's instructions in action.

Case 3. The Suri Feldman Case – Extensive Personal Effort

“Brooklyn Girl is Found Safe in Woods in Massachusetts,”

Joseph Berger, www.nytimes.com

STURBRIDGE, Mass., May 6, 1994 – Displaying survival skills that impressed local people familiar with the outdoors, a 14-year-old Chasidic girl from Brooklyn who disappeared on Wednesday when a school outing in a Connecticut state park went awry was found today by the police in dense, swampy woods, frightened and tired but praying by the side of a tree.

Suri Feldman had carefully rationed her sandwiches so that they sustained her for the two days and two nights she was lost. She found ledges to keep her dry during occasional drizzles. When search helicopters flew overhead, she tried to signal them with the flash on her camera.

The thin, slight teenager had wandered along forest roads more than three miles from the point in Bigelow Hollow State Park where she became separated from her classmates. News that she was alive and well set off jubilation in her neighborhood in Brooklyn and by the mixture of black-suited and bearded Chasidim and local volunteers who had searched the woods for her. At a firehouse that was the command center for the search, the Chasidim began dancing in a circle, holding high an umbrella-shielded Torah that they had brought in case they had to stay in the area during the Sabbath.

*The searchers, **more than 1,000** according to the police, had picked up clues – an empty container of kosher vanilla pudding, a fresh tissue – that Suri was alive and in the woods.*

*The search attracted **more than 600 Chasidim from as far away as Montreal and Washington**, bringing truckloads of kosher food that they shared with non-Jewish volunteers. “It says in the Bible that to save a life is to save the entire world,” said Isaac Fortgang of Boston, explaining why he traveled so far to help.*

This episode exhibits the antithesis of the bystander effect, with hundreds of volunteers going to great efforts to attempt saving just one person.

KEY THEMES OF SECTION I

- **Saving lives is an obligation, not just a meritorious deed.**
- **Everyone is obligated, not just emergency personnel.**
- **We must avoid apathy and overcome feelings of discomfort, “not wanting to get involved,” and “someone else will take care of it,” and, of course, the bystander effect.**
- **Saving lives demands expending effort and sacrifice.**
- **Saving a person is akin to saving the entire world.**
- **Jewish medical ethics follows suit, instructing us to try to save a life even where the risk to life is small and chances of success are unlikely, and even when the life to be saved is of supposedly low quality and short duration.**

SECTION II Spending Your Money to Save Others

We have seen that a person must expend effort to save a life. Must a person also spend money? If the answer is yes, then how much? Must a person sell his house to pay for someone's life-saving operation?

Consider the following case:

Case 4. The Fallen Climber in the Andes – Who Foots the Bill for the Rescue Mission?

Ray, Jose, and Max – hiking in South America, far from their native Canada – were climbing Ojos Del Salado, on the border of Chile and Argentina. Rather high into the climb Jose lost his footing along a narrow path and tumbled down a steep, snowy ravine. Ray and Max saw that Jose was not getting up or moving, and did not respond to screams or cellphone rings. They realized that trying to reach him themselves was too risky, and Max (a native Spanish speaker) decided to call Search and Rescue Operations. They answered right away but said that they think it will take them about thirty-five minutes to gather together their team, and reach the location by helicopter. They asked Max for a credit card number, and he gave his own.

The helicopter landed, the team saved Jose, and the hike went on. But three weeks later, a \$3,600 charge for the helicopter flight appeared on Max's credit card bill.

Max thinks Jose, the accident victim, should pay the bill.

Jose thinks Max should pay for the bill he initiated.

What do you think?

Should Max have to pay for the helicopter, since he is the one who called and hired the Search & Rescue Helicopter?

The case to obligate Max is strong; however, grounds for not paying may be based on a Talmudic exemption for damages caused by the rescuer during a rescue mission.

Source 6. Sanhedrin 74a – There is a special exemption from payment for damages caused during a rescue mission.

A pursuer chasing after an assailant in order to save the victim is exempt from payment for vessels that he broke in the process – whether they belong to the attacker or the victim or anyone else. This is not based on strict legal principles of damages [but is a special exemption]. If we did not rule this way, no one would save his friend from an attacker.

וְרוֹדֵף שֶׁהֵיָה רוֹדֵף אַחַר רוֹדֵף
לְהַצִּילוֹ וְשִׁבַּר אֶת הַכֵּלִים בֵּין
שֶׁל רוֹדֵף בֵּין שֶׁל נְרֻדָּהּ בֵּין שֶׁל
כָּל אָדָם פְּטוּר וְלֹא מִן הַדֵּיין
שָׂאֵם אִי אַתָּה אוֹמֵר כֵּן נִמְצָא
אֵין לָךְ כָּל אָדָם שֶׁמִּצִּיל אֶת
חֲבֵירוֹ מִיַּד הַרוֹדֵף :

People would think twice before saving someone if they knew that they would be charged for damages caused during their rescue efforts.

Does this also apply to the rescuer's expenses doing the actual rescue? An answer appears in the Yad Ramah's commentary on our Gemara:

Source 7. Yad Ramah Sanhedrin 73a – The rescuer can reclaim his expenses.

It makes sense to us that where one went to the trouble of hiring workers [in attempts to rescue a life], he can reclaim the money from the person he saved. The All-Merciful One only commanded him to go through the effort of hiring people, but not to pay for the rescue. The conclusion of the Gemara implies this, because when it asks what the second verse (“Do not stand aside when your fellow's blood is being shed”) teaches us, it only answers, “to go to the trouble of hiring people,” but it does not say “to save him with his own money.”

וּמִסְתַּבְּרָא לָן דְּהִיכָא דְּטָרַח
וְאָגַר אֲגוּרֵי וְאַצְוִיָּה שְׁקִיל
מִיָּנִיה. דְּעַד כָּאן לֹא חִיבֵיה
רַחֲמָנָא אֶלָּא לְמַטְרַח בְּלִהְיוּרֵי
בְּתַר אֲגוּרֵי, אֲבָל לְאַצְוִיָּה
בְּמִמוּנֵיהּ לֹא, מְדַאֲמְרִינָן “אִי
מְהֵתָם הִנִּי מִלִּי בְּנִפְשֵׁיהּ אֲבָל
מְטָרַח וּמִיָּגַר אֲגוּרֵי לֹא קָא
מְשַׁמַּע לָן” וְלֹא אֲמַרְינָן אֲבָל
בְּמִמוּנֵיהּ לֹא קָא מְשַׁמַּע לָן:

On the one hand, according to the Yad Ramah, the rescuer can reclaim his expenses from the one who is saved. On the other, he must, apparently, put up the money during the rescue effort.

Based on this, the caller – Max – is ultimately absolved of responsibility for the costs of the rescue mission. According to the Yad Ramah's reasoning, the expense will apparently fall on Jose, the victim himself.

But what about a destitute accident victim that does not have the funds to finance rescue workers? **Are those present still obligated to save him?**

The Rosh addresses this issue.

Source 8. Rosh, Sanhedrin 73a – If the victim has money, the rescuer can claim compensation.

The one who is saved must compensate the one who saved him. A person is not obligated to save his friend using his own funds where the rescued person has money.

וְהַנִּצְוֹל חַיִּיב לְפָרַע לְמַצְוִיָּה
מִה שְׁהוּצִיא. דְּאִין אָדָם מְחוּבֵּב
לְהַצִּיל נֶפֶשׁ חֲבֵירוֹ בְּמִמוּנֵי הֵיכָא
דְּאִית לֵיהּ מְמוּנָא לְנִצְוֹל.

The Rosh's formulation “**where the rescued person has money**” implies that a rescue party must save someone in danger even if he does not have money. The money is recovered where it can be recovered; where it cannot be recovered, the rescuer must spend his own money (Harav Asher Weiss, Minchat Asher Bereishit p. 250, contends that the Yad Ramah will not dispute this ruling).

The Rema (Rabbi Moshe Isserlis, not to be confused with the Yad Ramah above), in the laws of redeeming captives, cites the Rosh's principle.

Source 9. Rashi, Kedushin 59a – The ownerless bread.

When someone redeems his friend from captivity, the one who was redeemed must compensate him if he has the financial means.

הַפֹּדֶה חֲבִירוֹ מִן הַשְּׂבִיָּה חַיִּיב לְשַׁלֵּם לוֹ אִם אֵיטָא לֵיהּ לְשַׁלֵּם.

The Shulchan Aruch Harav adds (based on the above ruling of the Rosh) that one is required to save a life even if the victim does not have the ability to compensate for the rescue costs.

Source 10. Shulchan Aruch HaRav Laws of Bodily Damages 7 – Do not hesitate to save the poor man.

One who sees his friend drowning in the sea or threatened by robbers and has the ability to save him, either by himself or by hiring others, must exert himself, hire rescue personnel, and save him. Later on, if the one who was saved has money, he should compensate the savior. If he does not, it is forbidden to refrain from helping, and if he does, he transgresses, “Do not stand idly by while your fellow’s blood is at stake.”

הַרְוָאָה אֶת חֲבִירוֹ טוֹבֵעַ בַּיָּם אוֹ לְסֻטִים בָּאִים עָלָיו וְיָכוֹל לְהַצִּילוֹ הוּא בְּעֵצְמוֹ אוֹ לְשֹׁכֵר אֲחֵרִים לְהַצִּילוֹ חַיִּיב לְטַרְחַ וְלְשֹׁכֵר וְלְהַצִּילוֹ נְחוּזָר וְנִפְרָע מִמֶּנּוּ אִם יֵשׁ לוֹ וְאִם לֹא לֹא יִמְנַע וְאִם נִמְנַע עוֹבֵר עַל לֹא תַעֲמוֹד עַל דַּם רֵעֶךָ.

Case 5. The \$36,000 Hospital Bill – How Much Money Do You Have to Spend to Save a Life?

Now, let us imagine that the Andes falling incident had a much more serious outcome. Instead of being merely rescued by a helicopter, Jose was found unconscious and needed to be flown to an Argentinian hospital. The emergency care unit saved his life, and he required a week-long hospital stay, followed by another week in rehabilitation that led to a full recovery.

*What about payment? Max gave his credit card number at the hospital, saying to himself, “Jose’s insurance will pay for everything, anyways.” But Jose’s insurance plan does not cover the foreign hospital stay, and four weeks later a whopping **\$36,000** hospital charge shows up on Max’s credit card! Neither Jose nor his family has the money to pay the bill. Should Jose’s family sell their home to cover the bill? If, not, should Max?*

How much money must one spend to save a life?

*Ask yourself the following challenging question: **How much money are you willing to spend to save a life?***

Halachic authorities address the issue of how much money a person is obligated to spend for saving a life.

For the purpose of fulfilling mitzvot in general, the Rema (on Shulchan Aruch 656:1) rules that one need not spend more than one-fifth of one's assets. The Rema adds that this principle applies specifically to fulfilling a positive mitzvah, but for a negative mitzvah, one must spend all of one's money to avoid transgressing the prohibition.

The question is how to look at the Torah instruction of "Do not stand aside when your fellow's blood is being shed."

On the one hand, this instruction obligates a person in a positive action, unlike most negative mitzvot which are fulfilled passively (such as the command "do not murder"). The expenditure might therefore be limited to one-fifth of one's assets, like other positive mitzvot. This position was expressed by Rabbi Yosef Shalom Elyashiv (cited in Kol Ha-Torah Vol. 43, p. 232).

On the other hand, the Torah writes the mitzvah in the negative form, and therefore it might receive the status of a negative mitzvah, for which one must spend all of one's money. Rabbi Asher Weiss, a leading halachic authority today, sides with this second position, further basing his view on the following points:

1. The Gemara (Source 4) sets no ceiling on how much a person should spend on rescue workers. Furthermore, as noted above, the Rosh (Source 8) writes that where the endangered party has the means, he must pay back the rescuer, implying that where the other party lacks the means, a rescuer must be prepared to lose his money for the purpose of saving a life. This will apparently be included in the following words of the Rosh, who writes that a person must "attempt to do whatever he can so that his friend's life should not be lost."
2. It is permitted and obligatory to desecrate Shabbat for the sake of saving a life. Desecration of Shabbat is a negative mitzvah, for which one must spend all one's money to avert. At the same time, we know that the ethical and religious value of saving a life takes precedence even over Shabbat desecration (for which one must spend all one's money to avoid). If desecration of Shabbat takes precedence over all one's money, and saving a life takes precedence over the desecration of Shabbat, it follows that one must also spend all one's money for saving a life.

Source 11. Minchat Asher Bereishit p. 249 – There are no limits on spending to save a life.

My clear inclination on this issue is that to save a life one would have to expend all of his money if needed. After all, this mitzvah (saving a life) supersedes the whole Torah. Does one not desecrate Shabbat in order to save a life even though one has to be willing to lose all his money to avoid desecrating Shabbat? (Even though one must lose all one's money so as to avoid the desecration of Shabbat, nonetheless one desecrates Shabbat to save a life. Therefore, all the more so must one spend all one's money to save a life.)

According to a number of halachic authorities, one must enter possible danger in order to save another (who is in certain danger – see below for more details). If one is permitted and obligated to endanger himself to save a life, he certainly is obligated to spend all of his money to save another's life, for (paraphrasing Job 2:4) all one has, he will give for his life ...

וְהִנֵּה נְטִיַת הַלֵּב הַבְּרוּרָה דְעַל
הַצֵּלַת הַנֶּפֶשׁ צָרִיךְ לְהוֹצִיא כָּל
מְמוֹנוֹ. דִּהְיָא מְצֻנָּה זֹו דוֹחָה כָּל
הַתּוֹרָה כְּלָהּ, וְהִיא מְחַלֵּל שַׁבַּת
לְפָקֵחַ אֶת הַנֶּפֶשׁ אַף שְׂצָרִיךְ לְבַזְזֵי
כָּל הוֹנוֹ שְׁלֵא לְחַלֵּל אֶת הַשַּׁבָּת.

וְלִשְׂטִיטַת מְקַצֵּת הַפּוֹסְקִים (חֲשׂוֹן
מִשְׁפָּט סִימָן תכ"ד) צָרִיךְ לְהַכְנִיס
לְסִפְקַ סְכָנָה כְּדִי לְהַצִּיל חֲבִירוֹ,
וְקַל וְחוֹמֵר הַדְּבָרִים וּמָה אִם סִפְקַ
סְכָנָה נִדְחִית מִשׁוּם הַצֵּלַת הַנֶּפֶשׁ,
כָּל שֶׁכֵּן שְׂחִיב לְהוֹצִיא כָּל מְמוֹנוֹ
לְהַצִּיל נֶפֶשׁ חֲבִירוֹ דְּכָל אֲשֶׁר לוֹ
יִתֵּן בְּעַד נֶפֶשׁוֹ ...

Rabbi Weiss mentions three authorities who also maintain that there is no twenty-percent ceiling on the obligation to spend money to save a life: Rabbi Yaakov Emden (Sh'eilat Yaavetz 1:3); the Aruch Hashulchan (Yoreh De'ah 249:5); and the Chafetz Chaim (Ahavat Chesed 20:2).

Source 12. Chafetz Chaim (Rabbi Yisrael Meir Kagan), Ahavat Chesed 20:2 – The one-fifth spending limit does not apply to saving a life.

It seems that this (one-fifth limit on tzedakah [charity] spending) applies in a situation that does not relate to actually saving a life. But if it relates to someone whose life is truly in danger – where, for instance, the captive is on the verge of death, or the hungry person is in danger of death because of his hunger – the limit of one-fifth is not applicable. And Bava Metzia 62 only states that one's life takes precedence over another's (where one is faced with the tragic option of either saving his own life or another's), but we have not found that one's wealth takes precedence over another's life.

אהבת חסד כ: ב
וְנִרְאָה דְמִיירִי בְּאוֹפֵן שְׂאִין
נוֹגֵעַ לְפָקוּחַ נֶפֶשׁ מִמָּוֶה, אֲבָל
אִם נוֹגֵעַ לְפָקוּחַ נֶפֶשׁ מִמָּוֶה
כְּגוֹן שֶׁהַשְּׂבִוִי עוֹמֵד לְמוֹת אוֹ
הַרְעֵב יְכוּל לְבוֹא לְיַדִּי סְכָנָה
עַל יְדֵי רַעְבוֹנוֹ אֵין שִׁיךְ בְּזָה
שִׁיעוּר חֲמֵשׁ וְלֹא אֶמְרוּ בְּבִבְא
מְצִיעָא ס"ב רַק דְּחִיּוֹ קוֹדֵם
לְחִיּוֹ חֲבִירוֹ אֲבָל דְּעִשְׂרוֹ קוֹדֵם
לְחִיּוֹ חֲבִירוֹ לֹא מְצִינוּ.

But, Rabbi Weiss concedes that under ordinary circumstances, one would never have to sell one's house for the purpose of saving a life. The reason for this is that the obligation to save a life does not apply specifically to one person, but to the entire community. If all share the burden, nobody will have to sell their houses.

Source 13. Minchat Asher Bereishit p. 249 – Only in extremely rare cases will a person have to spend all his money to save a life.

Indeed, this (obligation to spend all your money to save a life if needed) is only in an extreme case where he is the only person who can save someone. But it is clear and obvious that a person is not obligated to sell his house and all his belongings to save a sick person and the like when there are many available to save (along with him). And how could you ever say that he is obligated and not they, for the mitzvot of the Torah are also incumbent upon them. This is clear and obvious.

מנחת אשר בראשית עמוד רנב
... אַמָּנָם זֶה רַק בְּמִקְרָהּ קִיצוּנִי
שֶׁהוּא לְבִדּוֹ יָכוֹל לְעֻזּוֹר אֲבָל
בְּרוּר וּפְשׁוּט שְׂאִין הָאָדָם חַיִּיב
לְמַכּוֹר בֵּיתוֹ וְכָל אֲשֶׁר לוֹ לְהַצִּיל
חֹלֶה וְכִדּוּמָה כְּשֵׁישׁ רַבִּים
הַמְצוּיִים לְהַצִּיל וּמְהִיכָא תִּיתִי
יִתְחַיֵּב הוּא וְלֹא אֲחֵרִים,
שְׂמֻצּוֹת הַתּוֹרָה מוּטְלָת גַּם
עֲלֵיהֶם, וְנִזְהָר בְּרוּר וּפְשׁוּט.

So what can you conclude now about Max and his \$36,000 credit card bill for Jose's hospital bill? Based on the foregoing analysis, it emerges that Max does not need to sell his house in order to pay the bill; there is no reason that Jose's medical expenses should fall specifically on Max, and if Max is unable to meet them, they must fall on the entire community and not on one individual.

Case 6. The Unnecessary Rescue Mission – Who Pays?

Now, think about a third possible outcome of the Andes Falling Incident. Once again, Jose was out of contact, Max called the rescue helicopter, and Ray and Max waited. Then, twenty-five minutes into the wait, Jose began to move. They saw him stand up, and he managed to locate a path. Ray and Max tried to call off the rescue professionals, but there was now no reception.

Jose emerged on the trail smiling, just in time to meet the rescue team, who were happy to know that their services were not actually needed – but three weeks later, the same \$3,600 charge for the helicopter flight appeared on Max's credit card bill.

Jose thinks that Max should pay for the bill. He thinks Max acted too hastily by calling, and, he says, why should he pay for an unnecessary rescue mission? But Max counters that he feels he acted responsibly, and does not regret calling, but does not feel obligated to pay.

What do you think?

As we learned earlier, if Jose was actually saved, he would be obligated to compensate Max for the helicopter payment. But what is the halachah in a situation like ours where the emergency services were not ultimately needed?

Rabbi Baruch Rubanowitz addresses this issue, first searching for the legal basis of the ruling that the victim must pay for his own rescue if he has the funds.

At first he suggests that precedent known as “*yored*,” which refers to someone who does unsolicited work – paints his apartment, plants or plows his field, and so on – on another person’s property. Such a person can claim compensation only for actual benefit, and not for unneeded benefit.

Source 14. Rabbi Baruch Rubanowitz, “In Case of Emergency: Who Pays the Bill?”, www.dinonline.org – Unsolicited service need only be paid for if the service was, indeed, beneficial.

[What is the law of *yored*?] In many areas of halachah we find that when Reuven provides an unsolicited, and unanticipated service, or improvement to the value of Shimon’s assets (at a cost to himself), Reuven is entitled to some payment provided that Shimon benefits. However, if the unsolicited and unanticipated action is ineffective, Reuven receives nothing for his expenses or opportunity costs since Shimon did not benefit ... For example, Reuven enters Shimon’s abandoned home, buys black paint, and paints Shimon’s house without his permission. Reuven is not entitled to be reimbursed for the cost of the paint. Since there was no benefit to Shimon, Shimon does not need to pay the expenses (based on Nesivos 264:7).

However, he concludes that the victim *is* obligated to compensate even for a rescue attempt that was ultimately unnecessary. This ruling is based on a responsum of the Rosh himself, who asked if relatives who spent money on the medical care of a sick relative can be compensated from the estate of the deceased. He answers in the affirmative, even though the attempts to heal him were apparently unsuccessful.

Source 15. Rosh Responsum 85:2 – Relatives can be compensated for medical expenses after the death of their sick relative.

It seems to me that logic dictates that they should not lose out, just because the sick man did not instruct them to make these expenses. For it is a well-known practice that when a person falls ill and is not able to care for himself that relatives try to find him a cure... Additionally, someone who tried to find a cure for a sick person, even if the ill person did not direct him to do so, should not lose out in such a case, for it involves saving a life, and it is praiseworthy to take action. Therefore, if it is known through witnesses that someone laid out money while the sick relative was alive and it was not yet reimbursed, he should be compensated by the estate of the orphans...

נרָאָה לִי דְמַהֲאֵי טַעְמָא לֹא
 יִפְסִידוּ, בְּשִׁבִיל שְׁלֹא צָנָה
 שְׂיַעֲשׂוּ לוֹ אֱלוֹ הַהוֹצָאוֹת.
 כִּי מִנְהַג יְדוּעַ כְּשֶׁאָדָם נוֹפֵל
 לְמִשְׁכָּב וְאֵינוֹ יָכוֹל לְסַיֵּעַ
 עֲצָמוֹ, שֶׁהַקְרוֹבִים מְשַׁתְּדָלִים
 לְהַמְצִיא לוֹ רְפוּאָה ... וְאֶפִּילוּ
 אִינִישׁ דְּעֵלְמָא שְׁהֵיהּ מְשַׁתְּדָל
 לְהַמְצִיא רְפוּאָה לְחוּלָהּ, בְּלֹא
 צְוִי חוּלָהּ, נִרְאָה שְׁלֹא יִפְסִיד,
 דְּפִקּוּחַ נֶפֶשׁ הוּא, וְכָל הַזְרִיז הָרִי
 זָה מְשׁוּבָח. לְכֵן, אִם יְדוּעַ הַדָּבָר
 בְּעֵדִים שֶׁהוֹצִיאוּ יְצִיאֹת בְּחַיָּו
 וְשִׁלָּא נִפְרְעוּ בְּחַיָּו, תִּפְרְעוּ
 מִנְכֵסֵי הַיְתוּמִים ...

Rabbi Rubanowitz explains that although there is no actual benefit, a person who lays out expenses is compensated for his efforts because his work is *anticipated*.

Source 16. Rabbi Boruch Rubanowitz, “In Case of Emergency: Who Pays the Bill?”, www.dinonline.org – One who provides *anticipated* service is considered a hired worker.

If the unsolicited service or improvement was anticipated (i.e., the circumstances suggest that such service or improvement would likely have been employed) then the helper is considered to have been hired *ex post facto* by the recipient and earns a wage according to the market price of the service or improvement he provided. Whenever someone is hired (explicitly or by implication) for a certain job, once he fulfills his responsibility, he has earned his wage, regardless of the usefulness to the employer...

In our society, it is reasonable to assume that should any situation arise that looks to most people like an emergency, people would count on others to act on their behalf and contact the emergency services as their agent. Should they call for help as an implied agent of the victim, the victim will be responsible for the costs regardless of whether he benefited from the call or not...

His conclusion is that Jose must pay.

**KEY
THEMES
OF
SECTION
II**

- **Who foots the bill for a rescue mission? A rescuer who spends money to save another can claim compensation from the victim he helped save. If that saved victim does not have the resources to compensate, most authorities would require a rescuer to pay for the cost of the mission. Nevertheless, rescuers receive a special exemption from payment for damages they may have caused in the process of saving the victim.**
- **How much money do you have to spend to save a life? There are two prevalent approaches among contemporary halachic authorities about how much one must spend on saving lives. Some say it should be treated like a standard mitzvah (up to one-fifth of one's assets), but others say it is in a class of its own and one must be willing to risk all one's money to save a life.**
- **Nonetheless, under all but very unusual and extreme circumstances, there will not be any obligation to sell one's house in order to pay for life-saving treatment and measures. The obligation to help the needy falls on the entire community, and there is no obligation for one person to pay (more than his share) for a communal need.**
- **Who pays for a rescue mission that turns out to be unnecessary? Because most people anticipate that others will help them out in an emergency situation, a rescuer that acts accordingly, taking the expected precautions that a victim would have explicitly requested had he been able to, can claim compensation from the victim, even if the rescue attempt ended up proving to be unnecessary.**

SECTION III Endangering Your Life to Save Others

So far we have seen that a person must make efforts and sacrifices to save a fellow life; we have also seen that money must be spent towards this purpose. What, however, is the halachah where saving a life involves placing oneself in danger? Does one have to go so far as endangering oneself in order to save someone else's life?

Case 7. The Turkish Earthquake Volunteer – Can You Endanger Yourself to Save Another?

Rob was invited in 1999 to join student teams traveling to Izmit, Turkey, to provide assistance immediately after an earthquake that registered 7.6 on the Richter scale. A number of students openly refused to join because of the danger involved. Besides fires, disease, and collapsing buildings, there is also a serious danger of aftershocks – smaller earthquakes that often unexpectedly follow a major quake.

One particularly vocal student leader began convincing others not to join rescue efforts. He mentioned that a number of foreign helpers had already met their own deaths since the beginning of the earthquake rescue mission. He felt that not only

are they not morally obligated to go, but that that they are morally **prohibited** from going. "Who says," he asks Rob, "I can put my own life at risk to save others?"

How should Rob respond?

The question of risking one's life to save another's is the subject of an incident recorded in the Talmud Yerushalmi, and subsequently cited by rabbinic authorities.

Source 17. Yerushalmi Terumot 47a – Reish Lakish goes to save Rabbi Ami.

Rabbi Ami was kidnapped and held in Sifsifa. Rabbi Yonatan said, "Wrap up the dead in his sheet (meaning, there is no hope of saving him)." Rabbi Shimon son of Lakish said, "I will either kill or be killed. I am going and will release him by force." Rabbi Shimon son of Lakish went and appeased the kidnappers, and they handed over Rabbi Ami.

רבי אמי איתצד בסיפספה.
אמר ר' יונתן "יפרך המת
בסדינו." אמר ר' שמעון בן
לקיש, "עד דאנא קטיל אנא
מתקטיל אנא אגיל ומשיזיב
ליה בחילא." אזל ופייסון
ונהבניה ליה...

The story implies that Rabbi Shimon son of Lakish felt it was permissible to risk his life ("I'll kill or be killed") in order to save Rabbi Ami. Rabbi Yonatan did not stop Rabbi Shimon and seemed to condone the action – though his initial statement ("Wrap up the dead in his sheet") implies that he did not obligate it.

The following source, however, derives that one is actually obligated to place oneself in danger for the sake of saving a life.

Source 18. Kesef Mishneh Laws of Murder and Saving Life 1:14 – Certain danger vs. possible danger.

The Hagahot Maimoniyot writes, "... In the Yerushalmi they conclude that one is even obligated to enter into a possibly dangerous situation in order to save another." It seems that the reason for this is that the victim is in certain danger (he will certainly die), whereas the rescuer is only in possible danger.

כסף משנה הלכות רוצח
ושמירת נפש א: יד
כתב בהגהות מיימוניות,
" ... בירושלים מסיק אפילו
להכניס עצמו בספק סכנה
חייב "עד כאן לשונו. ונראה
שהטעם מפני שהלה נדאי
והוא ספק:

Yet, the Aruch Hashulchan points out that this approach was not preserved in normative halachah.

Source 19. Aruch Hashulchan Choshen Mishpat 426:4 – The Talmud Bavli argues against the Talmud Yerushalmi.

The halachic authorities quoted the Yerushalmi as saying that one is obligated to enter a possibly dangerous situation in order to save another. The Rishonim (early authorities) left this out of the halachic codes, because it is clear from our Talmud that one is not obligated to endanger himself to save another. However, every situation must be dealt with in context, and one must weigh this matter extremely carefully and not be overprotective of oneself ... And anyone who saves one Jew is as if he saved a whole world.

ערוך השלחן חושן משפט
תכו: ד
הפוסקים הביאו בשם ירושלמי
דחייב אדם להכניס את עצמו
לספק סכנה כדי להציל חברו.
והראשונים השמיטו זה מפני
שבש"ס שלנו מוכח שאינו
חייב להכניס את עצמו. ומיהו
הכל לפי הענין ויש לשקול
הענין בפלס ולא לשמור
את עצמו יותר מדאי ... וכל
המקיים נפש מישראל כאלו
קיים עולם מלא.

According to the Aruch Hashulchan there is dispute between the two Talmuds about whether to enter a possibly dangerous situation in order to save another from a clearly dangerous situation. Whereas Rabbi Shimon son of Lakish in the Yerushalmi endangered himself to save Rabbi Ami, a number of sources in the Babylonian Talmud indicate that one does not have to endanger oneself in saving another's life.

In fact, the different Talmudic sources bearing on this question are discussed by several authorities, and each specific source is disputed (see Shevet Mi-Yehudah, Shaar 1, Chap. 9). However, it is possible that the absence of a source stating such an obligation is sufficient indication that no such obligation exists: Just as one is not obligated to give up one's life for the sake of saving another, so one need not place one's life at risk for the same purpose.

Indeed, in his Meshech Chachmah commentary on the Torah, Rabbi Meir Simchah of Dvinsk proves from the Torah itself that one is not obligated to endanger oneself to save another. After fleeing from Pharaoh, Moshe (Moses) was in Midian waiting to fulfill God's command to save the Jewish people. Pharaoh had previously attempted to kill Moshe after Moshe had smitten an Egyptian who was torturing a Jew. When God gave him the go-ahead to begin his mission, the verse offers an interesting addition.

Source 20. Meshech Chachmah Shemot (Exodus) 4:19 – There is proof from the Torah itself for the Bavli's approach.

“Return to Egypt, for all the people that were trying to kill you have died.” – It is clear from here that if they were still alive, he (Moshe) would not have needed to go to take the people of Israel out of Egypt. Even though all of Israel would have needed him, he would not have been required to enter a dangerous situation.

”לך שׁוּב מִצְרַיִם כִּי מָתוּ
כָּל הָאֲנָשִׁים הַמְּבַקְשִׁים אֶת
נַפְשְׁךָ” - מוֹכַח דָּאם הָיָו חַיִּים
הַמְּבַקְשִׁים אֶת נַפְשׁוֹ לֹא הָיָה
צָרִיךְ לִילֵךְ לְהוֹצִיא בְּנֵי יִשְׂרָאֵל
מִמִּצְרַיִם, אִךְ עַל פִּי שְׂכָל
יִשְׂרָאֵל צָרִיכִים אֵלָיו אִינוֹ צָרִיךְ
לְהִכָּנִיס עֲצָמוֹ בְּסַכָּנָה.

Thus, the question of placing oneself in potential danger in order to save someone else involves a dispute among different authorities.

What is the conceptual debate? What is behind these two approaches?

The Hagahot Maimoniyot explains his approach (based on the Yerushalmi) with the words “It seems that the reason for this is that the victim is in certain danger (he will certainly die), whereas the rescuer is only in possible danger.” We are presented with a conflict between two probable outcomes. Inactivity will result in the victim’s certain death, whereas a rescue mission will only result in the rescuer’s possible death. We must opt for the rescue mission.

What is the rationale behind the dissenting position? The Minchat Chinuch (Mitzvah 237) suggests the following:

With very few exceptions, mitzvot are not obligatory when they involve loss of life, even possible loss of life. This will include even the obligation of “Do not stand aside when your fellow’s blood is being shed.”

The rule of “living by mitzvot” rather than “dying by mitzvot” appears in a Talmudic passage that cites a biblical source for eating on Yom Kippur when fasting would be life-threatening.

Source 21. Yoma 85b – Live by the mitzvot; do not die by them.

Said Rabbi Yehudah in the name of Shmuel, “If I had been there (when the earlier rabbis quoted biblical sources permitting transgressing a mitzvah to save a life), I would have said that my source is better than theirs: [You must only fulfill the mitzvot in order to] ‘Live by them,’ but not that you should die through them.”

אָמַר רַב יְהוּדָה אָמַר שְׁמוּאֵל
אִי הָוּאִי הָתָם הָוָה אֲמִינָא דִּידִי
עֲדִיפָא מְדִידָהוּ: ”נַחֲי בָהֶם”
וְלֹא שְׂיָמוּת בָּהֶם.

Thus, even though the victim faces certain death, whereas the rescuer only faces possible death, the mitzvah of “do not stand aside when your fellow’s blood is being shed” is not obligatory when it involves possible danger of death.

This, indeed, is the halachic ruling given by leading halachic authorities (see Radvaz, no. 1582, on the Rambam; Shulchan Aruch Harav, Nizkei Guf 7; Eliyah Rabbah 329:8).

How can someone favor his life over the victim’s? The Talmud also says that if a person is threatened with the tragic choice, “Kill him or I will kill you!” he cannot kill the other, because “Who says your blood is redder than his?” If someone refrains from rescuing another, isn’t he deciding that his blood is redder than the victim’s?

The Minchat Chinuch (Mitzvah 237) quotes from Tosafot, who explain that in a situation of choice between one life and another, it is prohibited to **actively kill** to save one’s own life. However, if someone ends up killing **passively** (“Let us throw you on him or we will kill you!”) he can let himself be saved. In our discussion the rescuer is **passively** refraining from saving, and not actively killing. Thus, there is no obligation upon him to risk his own life.

At the same time, we conclude this section with the Aruch Hashulchan’s warning to be truthful and honest about defining danger, and to “not be overprotective of oneself.”

KEY THEMES OF SECTION III

- **Must a person endanger his own life to save another whose life is in certain danger? According to some authorities this question involves a dispute between the two Talmuds.**
- **The Talmud Yerushalmi records an anecdote that implies that one should enter possible danger to save another who is now in certain danger – and a minority opinion rules this way.**
- **Most authorities rule, based on inferences from the Talmud Bavli and laws of protecting one’s own life, that one does not need to enter such a situation. If one is not obligated, it follows that he should not risk his own life, and this is the normative halachah.**

CLASS SUMMARY **To what extent is a bystander obligated to become proactive to save a stranger's life?**

The Torah commands us “not to stand upon your fellow’s blood,” meaning that we must not ignore another’s danger. This is a far-reaching command. It applies even where the risk to life is small or unclear, even where there is no guarantee that the life at risk will be saved, and even where the life to be saved might be described as of “low quality.”

The obligation applies universally – to anyone who encounters a victim in danger and can help. Although the Torah does not obligate a person to become a doctor in order to save lives, when a life is in danger anyone must do whatever possible in order to save a life.

This mitzvah involves effort, and might entail hiring or arranging for rescue professionals. It might also involve a certain level of discomfort. Jews have traditionally excelled at saving lives, and Judaism considers saving and preserving human life an extremely high priority.

Does Judaism require spending money to save a life? If so, up to how much money?

The rescuer must be willing to lay out money initially, in order to make sure a rescue mission takes place. He can, however, reclaim that money from the victim or the victim’s heirs.

How much money a person must spend in order to save a life is a matter disputed even by contemporary halachic authorities. Some liken this mitzvah to any other mitzvah, where one need not spend more than one-fifth of one’s money. Others posit saving lives is in a class of its own, and one must be ready to give up all of one’s money to save a life. However, in contemporary practical life, the responsibility to spend on saving lives is usually divided among many, and rare is the instance where one person is confronted with such a challenge.

Who pays the bill for a rescue mission that turns out to be unnecessary?

If a rescuer puts out money up front to finance a rescue mission, and the attempt ends up being unsuccessful, he can still reclaim the money from the victim.

If the victim does not have the resources to pay, there is a dispute between commentators about whether rescuers have to put forth the money or not; the ruling is that they do.

Do I have to endanger myself to save someone else who is in danger?

According to some authorities, this is the subject of a dispute between the two Talmuds. The Talmud Yerushalmi obligates a person to place himself in possible danger to save another who is in certain danger. The Talmud Bavli, however, disagrees with this approach, and many halachic authorities rule that there is no obligation to put oneself into danger for the sake of saving a life (and that therefore one should not do it). That being said, the Aruch Hashulchan cautions the person encountering someone in danger to be honest about whether a rescue mission would endanger him or merely inconvenience him.

RECOM- MENDED ADDITIONAL READING

“In Case of Emergency: Who Pays the Bill?” by Rabbi Baruch Rubanowitz at www.dinonline.org/2010/06/27/in-case-of-emergency-who-pays-the-bill/

“Does Jewish law permit donating a kidney? What about selling one?” by Daniel Eisenberg, M.D. at www.aish.com/ci/sam/48954401.html

“At What Cost Saving Lives?” by Rabbi Chaim Steinmetz at www.jlaw.com/Commentary/whatcost.html

Dangerous Disease and Dangerous Therapy in Jewish Medical Ethics, by Rabbi Akiva Tatz, M.D. (Targum Press 2010, 352 pages)

Saving Another’s Life, by Rabbi Eliezer Melamed, at <http://e.yeshiva.org.il/midrash/shiur.asp?cat=371&id=700&q=>

“May a Doctor Refuse to See Patients?” by Rabbi Avrohom Blaivas, in the Journal of Halacha and Contemporary Society Volume XXXVIII; Fall 1999 - Sukkot 5760 www.daat.ac.il/daat/english/journal/blaives-1.htm

“His Money or Her Life? Heinz’s Dilemma in Jewish Law,” by Rabbi Mark Dratch, in the Journal of Halacha and Contemporary Society Volume Vol. XX. Fall 1990.

“Physicians’ Strikes,” by Rabbi Judah David Bleich, in his Contemporary Halachic Problems Vol. III, pp. 18-25.

“Sale or Donation of Human Organs,” by Rabbi Alfred Cohen, in the Journal of Halacha and Contemporary Society, 2006 [www.hods.org/pdf/Journal_of_halachot\[1\]\(1\).pdf](http://www.hods.org/pdf/Journal_of_halachot1.pdf)

“Physicians’ Strikes and Jewish Law,” by Fred Rosner, M.D., in the Journal of Halacha and Contemporary Society, Fall 1993 www.daat.ac.il/daat/english/journal/Physicians-2.htm