

Pikuach nefesh

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In [Judaism](#), **pikuach nefesh** ([Hebrew](#): פיקוח נפש) is the obligation to save a life in jeopardy. *Pikuach nefesh* supercedes virtually all [Jewish law](#), including [Shabbat](#). For example, a Jewish doctor may work on Shabbat in the case that patients may die if he would not. The concept of *pikuach nefesh* derives from the [Torah](#)^[1], and is mentioned many times in the [Talmud](#). "If one has pain in his throat, he may pour medicine into his mouth on Shabbat, because it is a possibility of danger to human life and every danger to human life suspends the laws of Shabbat."^{[[citation needed](#)]}

Pikuach nefesh has limitations. One is a requirement that the individual whose life is to be saved must be a specific, identifiable individual, rather than an abstract or potential. For example, in the context of [organ donation](#), *pikuach nefesh* overrides a prohibition against desecrating a corpse, but a specific organ recipient must generally be identified before the organ is removed. Organ removal to bank organs for possible future is generally prohibited in [Orthodox Judaism](#)^[2].

In Jewish law, this obligation supersedes all but the three most grievous offenses: [murder](#), [idolatry](#), and forbidden sexual unions, all of which a Jew is obligated to avoid transgressing even at the cost of his life.

PIKUACH NEFESH

Introduction: One of Judaism’s most important values is the human life. The concept of pikuach nefesh, saving a life in jeopardy, is therefore extremely significant to the Jews as a nation. We are therefore permitted to disregard all but three commandments of the Torah in order to save our lives or the life of another. In the book of Vayikra, 18:5, Hashem says: “You shall keep my decrees and my laws that a person will do and live by them, I am G-d.” The Rabbis extrapolated from this verse that we should live by the mitzvot and not die by them. The concept of pikuach nefesh is also derived from Vayikra 19:16, which states that “Neither shall you stand by the blood of your neighbor.” We learn from this pasuk that one must do everything that he can in order to save the life of another Jew. However, the concept of pikuach nefesh expands far beyond the saving a life and can be applied to many other cases as well. Maimonides explained that the purpose of pikuach nefesh is to encourage “compassion, loving-kindness and peace in the world” (Mishneh Torah, 2:3).

Shabbos and Yom Tov: The laws of shabbos and yom tov may be suspended for the purposes of pikuach

nefesh. The earliest known example of this took place in 167 BCE, when Mattathias and the Hasmoneans declared that it was permitted for their followers to fight on the Sabbath day to defend themselves from attack. One is allowed to travel in order to save another's life, and medical care may be provided to critically ill patients. The gemara in Yoma, 84b, gives a few examples of cases where the laws can be disregarded. These include rescuing a child from the sea, breaking apart a wall that has collapsed on a child, breaking down a door about to close on an infant, and extinguishing a fire. The mishna in Yoma 83a discusses when one is permitted to break his/her fast on Yom Kippur: "If one is seized by a ravenous hunger, he may be given to eat even unclean things until his eyes are enlightened." Shabbat laws can also be bent for a woman who has given birth in the last three days to make sure that she is comfortable and healthy. Laws aside from Shabbat and yom tov restrictions can be broken as well; for example, if necessary for recovery, a patient may eat non-kosher food.

The Three Big Sins: Pikuach nefesh allows one to surpass basically all of the commandments of the Torah. However, there are THREE sins that one must die for: avodah zara (idol worship), shfichut damim (killing a person), and giluy arayot (adultery). The gemara in Sanhedrin page 74a states: "R' Yochanan said in the name of R' Shimon ben Yehotzadak: 'It was decided by a vote in the loft of the house of Nitezeh in Lod: For all the transgressions in the Torah, if a man is told, 'Transgress and you will not be killed,' he should transgress and not be killed, except for idol worship and sexual relations and bloodshed.'" One must sacrifice his/her life rather than transgress the above mentioned sins.

Example Cases:

- If a woman is in labor before shabbos, does she have to go to the hospital right away before shabbos begins or can she wait until later to travel, when shabbos has already begun?

ⓂUsually we would say that it depends on whether the driver is a Jew or a gentile. If the driver is Jewish, she would have to go to the hospital before shabbos begins, if possible. However in this case, we do not want the woman to be in an uncomfortable situation spending shabbos in a hospital when the birth is not taking place yet. Therefore we can conclude that she does not need to sacrifice her mitzvah of oneg shabbos (enjoying shabbos) in order to avoid traveling on Shabbat. If she does end up having to travel, we can say that it is for the purposes of pikuach nefesh.

- Can you sign a consent form for surgery on shabbos?

ⓂDefinitely. Surgery is required on shabbos in a case of pikuach nefesh, and if this is the situation then all measures can be taken in order to make sure that the surgery takes place. However, it must be done b'shinui-meaning in a different way than one would usually write, since signing the consent form is not a direct act of pikuach nefesh. For example, you can sign with your left hand if you usually use your right.

Organ Donation

There are some halachot that cause people to think that organ donation is halachically forbidden. Those halachot are Nivul Hamet which forbids the needless mutilation of a body, Halanat Hamet which forbids delaying the burial of a body, and Hana'at Hamet which forbids getting benefit from a dead body. However in all these cases organ donation would save a life so pikuach nefesh supercedes these halachot. Another major debate around organ donation has to do with what is considered death. One opinion is that death is indicated by the irreversible cessation of breathing, and the other opinion is that death is indicated by the irreversible cessation of a heart beat. So depending on what opinion you agree with you will know whether or not organ donation is allowed because if Halacha considers a person to be 'alive' then removal of organs would be forbidden because you would be 'killing' the donor. There are some superstitions about organ donation. Some people believe that if doctors know you have a donor card they will declare your death early in order to take your organs quicker. Another issue is grossess. Grosses is a halachic category ascribed to people that are deathly ill and will most likely die in a few days. Halacha forbids any touch of the body for fear that any sudden movement will accelerate the time of death. So there is a fear that if you donate someone in this category organs you will cause death rather than save their lives. Another issue is jews donating organs to non jews. Some say that because every man is created in the image of god pikuach nefesh spreads to non jews also. Also, there is a fear of enmity between jews and non jews so rabbis say that pikuach has to apply to non jews also, because there is already a complaint in the medical world about jews being willing to receive organs but not give organs. In addition by putting yourself on an organ list there is a possibility that a jew on the list will be bumped up if a non jew is given your organ. Overall, there is no halacha that says you cant donate organs, and usually it is pikuach nefesh that gives people permission to donate. However, it is advised to consult with a rabbi before making a decision.

[[edit](#)] References

- ↑ Lev. 19:16
- ↑ <http://www.hods.org/English/ArticlesE.asp>



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