

The Commandment to Heal

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Following the welcome by my colleague, the *Rishon LeZion Shlit"a*, nothing remains for me to add with respect to the integration of ethics and *halacha*, nor with respect to the question of how to create a bridge between medicine and *halacha* and whether it is at all necessary.

Unfortunately, despite the learned words which we have heard, the public does not perceive matters thus and does not see them the way they have been presented here. Some story or other, sometimes entirely unimportant and incidental, reaches the headlines and becomes a central issue, focusing attention around it and creating the impression that medicine and *halacha* are contradictory. The Dr. Falk Schlesinger Institute for Medical-*Halachic* Research was created with the aim of explaining the contradictions, as it were, between them.

The *Rishon LeZion* was certainly correct when he stated that not only do medicine and *halacha* not contradict one another, but they indeed complement one another and are interdependent.

We mention the verse, “Take great care to your souls”¹ whenever we talk about avoiding road accidents as well as when we discuss the dangers of smoking or warn about high cholesterol. In doing so we are actually taking the verse out of its literal context since we are applying the verse to matters of the body and its health. But on the simplest, literal level, “take great care to your souls” is speaking about our souls. We have metaphorically changed it into a common expression meaning taking care of one's body and attending to one's continued physical well-being.

The reason seems to be that it is impossible to separate these elements. The body is a garment for the soul, which in turn is the center of gravity in the Divine creation of man. “Let us make man in our form, in our image” (Genesis 1:26): Who is saying to whom, “let us make” – using the plural form?

¹ Deut. 4:15; Josh. 23:11.

The Ramban explains that God turned to the earth, saying, “You contribute the body, and I will contribute the soul.” ‘Let us make man in our form’ – the physiological aspect, ‘in our image’ – the spiritual aspect, for it is impossible to separate things which are inherently attached. Hence there is also a connection to another verse: “And he shall cause him to be thoroughly healed,”² as well as a verse which presents it from the negative perspective: “You shall not stand by your neighbor's blood” (Leviticus 19:16). The *Shulchan Aruch* in *Yoreh De'ah*³ concludes that one who refrains from healing his neighbor is compared to a murderer.

The *Gemara*⁴ explains the verse “and you shall return it to him” (Deuteronomy 22:4) as teaching us that ‘returning a person's body to him,’ *i.e.* healing him, is a biblically ordained commandment. The Torah states (Deuteronomy 22:1-3): “You shall not see your brother's ox or his sheep fall down by the way, and hide yourself from them; you shall surely bring them back to your brother... So shall you do to his donkey, and so shall you do to his garment, and so shall you do to any lost thing of your brother, which he has lost and which you have found – you may not hide yourself.” There is a positive commandment to return something which has been lost, and a negative commandment of ‘not hiding’ oneself from the property of others, including an ox or sheep, a donkey, a garment or any other lost property.

And when a person himself is in danger of being ‘lost,’ the Torah instructs us, “you shall return him,” not simply “you shall surely bring them back” as concerning property. You are obligated to return the person to himself, *i.e.* his essence must not be allowed to be lost. These sources lead us to the inescapable conclusion that “Anyone who saves one life is compared to one who saves an entire world” – the blood of your brother as well as the blood of his descendants, as the *Rishon LeZion* mentioned.

My colleague mentioned the Ramban's words in his *Torat ha-Adam*, where he also raises a question: Why do we require the permission which the Torah grants to the doctors to heal? Is it not sufficient that we learn “You shall not stand by the blood of your neighbor?” If I am able to remove the pain suffered by my

² Ex. 21:19; see tractate *Berachot* 60a, *Bava Kama* 85a.

³ Sec. 336:1.

⁴ *Sanhedrin* 73a.

neighbor, do I need permission from the Torah to do so? The *Shulchan Aruch*⁵ indeed goes so far as to state that this permission is in fact a commandment and an obligation. Why is permission required for something for which, if I refrain from it, I am considered a murderer?

The Ramban in his capacity as a doctor explains the Jewish philosophical-conceptual aspect of this question: Does medicine not perhaps contain some type of interference in Divine Providence? (This was actually the question posed by the wicked Turnus Rufus to Rabbi Akiva,⁶ on God's declaration, "See now that I am He, that I put to death and bring to life, and I heal, and none besides Me saves.") Hence the Torah teaches that the Healer of all flesh grants permission to human doctors to engage in healing.

The Ramban, as a doctor – not just as a Jewish philosopher – adds a further comment from his personal perspective. What if a person should say, "What do I need all this trouble for? Why should I get involved in medicine? Rather let me take up some other profession, where I won't be responsible for people's lives. Studying medicine is difficult, and then afterwards perhaps I shall be held responsible for some mistake which cost a life!"

Therefore the Torah encourages him, teaching that the moment a person acquires the talent and is aware of the ethical problems involved in medicine, if he is concerned for the welfare of others and is even prepared to forfeit the adulation that comes with success and is only concerned that he should not be responsible for endangering anyone, then that in itself is his task and his destiny. For this purpose he was created: "He shall cause him to be thoroughly healed".

This is what the Ramban teaches us in his *Torat ha-Adam*. A person needs the special encouragement which the Torah gives him at the outset in order to engage in the wonderful profession of saving human life. The Torah gives its full backing to him to engage in medicine.

Source: **The First International Colloquium on Medicine, Ethics & Jewish Law,**

July 1993, pp. 15-17 (Schlesinger Institute, Jerusalem, 1996).

⁵ Ibid.

⁶ *Bava Batra* 10a.