

Divine Euthanasia

By Rabbi Dovid Markel

The *mishnah* in the book of Ethics of Our Fathers¹ states: “A single moment of repentance and good deeds in this world is greater than all of the World to Come.” From this *mishnah* it is understood, that even a moment of life is sacrosanct and should not be treated trivially.

It nevertheless seems from a certain Talmudic narrative, that though the Torah prohibits actively ending life with so-called mercy killings, when life becomes unbearable, one may be permitted to pray to G-d for the end of life.

The Talmud² recounts the following regarding the passing of Rabbi Yehuda HaNassi after he had suffered from a terrible stomach ailment:

On the day when Rabbi died, the Rabbis decreed a public fast and offered prayers for heavenly mercy... Rabbi's handmaid ascended the roof and prayed: 'The immortals desire Rabbi [to join them] and the mortals desire Rabbi [to remain with them]; may it be the will [of G-d] that the mortals may overpower the immortals.' When, however, she saw how often he resorted to the privy, painfully taking off his *tefillin* and putting them on again, she prayed: 'May it be the will [of G-d] that the immortals may overpower the mortals.' As the Rabbis incessantly continued their prayers for [heavenly] mercy, she took up a jar and threw it down from the roof to the ground. [For a moment] they ceased praying and the soul of Rabbi departed to its eternal rest.

The handmaid of Rabbi Yehudah HaNassi, seeing the intense pain that he was going through, prayed that “the immortals overpower the mortals” so that Rabbi may pass away. She even resorted to a creative tactic to cause the Rabbis to cease their prayers, ensuring that Rabbi would depart from this world.

If her actions were permissible, then it can be derived that one may pray for the demise of an individual who is going through intense suffering and all hope for their treatment is lost.³

It is however not clear that her actions were proper. Clearly, the rabbis continued to pray, though they too were aware of Rabbi's suffering. It seems that they were of the opinion that though a person is undergoing immense pain, one should nevertheless pray for their life and not their demise.⁴

¹ 4:17.

² Kesuvos 104a.

³ See Talmud, Moed Katan 17a that the Sages heeded her words concerning a ban that she issued. It can perhaps be concluded from there that she was a scholar and that her actions are not to be taken lightly.

⁴ Alternatively, even the handmaid of Rabbi concurred with the actions of the Rabbis, as she too believed that one can only pray for an individual's demise after prayers for the person's life have proven futile.

Perhaps light can be shed on the appropriateness of her actions from another Talmudic discussion where the commentators express a similar theme.

The Talmud in Nedarim⁵ discusses the effect that one accomplishes through visiting the sick. From the explanation of Ran to that Talmudic discussion, we can perhaps conclude that her actions were indeed fitting:

When R. Dimi came, he said: “He who visits the sick causes him to live, whilst he who does not causes him to die. How does he cause [this]? Shall we say that he who visits the sick prays that he may live, whilst he who does not, prays that he should die, — ‘that he should die!’ can you really think so? But [say thus:] He who does not visit the sick prays neither that he may live nor die.

Ran explains the meaning of the phrase, “He who does not visit the sick prays neither that he may live nor die,” to mean that there are indeed times when it is proper to pray for an individual’s demise:

It seems to me that this is what it means to say: At times one must ask for mercy on the sick that they die, for example, when the individual is suffering immensely in his sickness and it is impossible to live... It is for this reason (the Talmud) states that one who visits the sick helps him through his prayers, even to live, which is a stronger prayer. He who does not visit him, not only does he not help him to live, but even if there is an advantage to their death, he is not able to help him in that small amount.

Ran clearly states that at times, it is certainly proper to pray for the individual’s demise.

There are halachik codifiers⁶ that indeed permit one to pray for the death of the sick based on the words of Ran, saying: “At times one should pray (that the sick) die, for example, if the person is suffering immensely in their sickness and it is impossible for them to live.”

The ruling of the above-mentioned codifier is based primarily on Ran’s analysis of the Talmudic statement, “he who does not visit the sick prays neither that he may live nor die.”

Maharsha, however, disagrees with Ran’s analysis, saying that his words are not the proper elucidation of the above-mentioned Talmudic statement.

Maharsha explains that the words, “He who does not visit the sick prays neither that he may live nor die,” is to be understood as a retraction from the original statement of the Talmud, which declared, “he who visits the sick prays that he may live, whilst he who does not, prays that he should die.” The Talmud understands that saying that one who does not visit the sick is considered to have prayed for the person’s demise is preposterous, and therefore amends its statement that “he who does not visit the sick prays neither that he may live nor die.”

Meaning to say, that if one does not visit the sick, he is in a sense causing his death, for although he is not praying that the individual should die, he is not praying that he should live either. Were the person to have visited the sick and prayed that the individual should live, it is possible that G-

⁵ 40a.

⁶ Aruch Hashulchan, Yora Deah 365:3.

d would have acquiesced to his prayers. By not visiting the sick, he is tacitly ensuring the individual's death.

Because of the alternate reading of the above piece of Talmud, some halachik desicors⁷ are weary to permit one to pray for an individual's demise, even when they are suffering.⁸

Yet, though in general hesitant to permit one to pray for death, codifiers express two conditions when it may be permitted to do so.

- A) If⁹ the individual praying is not a relative who can somehow benefit from the patient's death. Oftentimes, it is exceedingly difficult to care for an individual that is going through suffering. One must therefore be sure that there is no ulterior motive in desiring the person's death.
- B) If¹⁰ all prayers for the person's life were futile, as in the case with Rabbi Yehudah HaNassi, where the prayers of all the rabbi's did not help.

Since it is highly unlikely that a person can know that all prayer for the person's life will not help, there are consequently few cases where practically one may beseech G-d for the demise of an individual who is suffering.

⁷ Tzitz Eliezer, 5:5, Tzitz Eliezer, 9:47. He points out as well that this ruling is not brought in any other commentators or halachik codifiers and therefore it is not proper to pray for a person's demise.

⁸ Conversely, Rabbi Menashe Klein in Mishana Halachos 10:202 expresses his opinion that it is a *mitzvah* to pray for those that are suffering, that they die.

⁹ Chakakei Lev, Yora Deah 1:50, Tzitz Eliezer, *ibid*.

¹⁰ Igros Moshe, Choshen Mishpat 2:74:4, Shevet HaLevi 10:292.