



END OF LIFE TOPICS 2  
MURDER AND SUICIDE

I. PERSONAL AUTONOMY FROM A TORAH PERSPECTIVE

**Introduction**

The Torah's prohibition of murder for Noahides lays a foundational ethic: the sanctity of life. This principle extends to modern dilemmas, notably euthanasia. Exploring these ancient teachings offers insights into ethical considerations around end-of-life choices within Noahide law.

**1. Tattoos and Autonomy:**

In Western societies, personal autonomy often includes the freedom to make choices about one's body, such as getting tattoos. How does the Torah's prohibition on tattoos challenge or complement the Western emphasis on individual autonomy and self-expression?

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| <p><u>Leviticus 19:28</u></p> <p>And you shall not make any cuttings in your flesh for the dead, nor imprint any marks upon you: I am G d.</p> | <p><u>ויקרא פרק יט</u></p> <p>(כח) וְשָׂרֵט לֹנְפֹשׁ לֹא תִתְּנוּ בְּבָשָׂרְכֶם וְכָתַבְתָּ קַעֲקַע לֹא תִתְּנוּ בְּכֶם אֲנִי יְקֹוּק׃</p> |
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**2. Religious Context of Tattoo Prohibition:**

The Sefer HaChinuch links the tattoo prohibition to idol worship practices. In a society that values religious freedom, how can we navigate the tension between individual expression and religious restrictions when it comes to body modifications?

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| <p><u>Sefer HaChinuch, Commandment 253</u></p> <p>For it was a custom of the Gentiles to mark themselves for their idol worship, indicating that one was a servant sold to the idol and branded for its service.</p> | <p><u>ספר החינוך מצוה רנג</u></p> <p>שהיה מנהג הגוים שרושמים עצמם לעבודה זרה שלהם, כלומר שהוא עבד נמכר לה ומורשם לעבודתה.</p> |
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**3. Contemporary Views on Self-Injury:**

The Talmud prohibits self-injury, but modern mental health discussions recognize conditions like self-harm as signs of distress. How do Western perspectives on mental health and self-determination intersect with or diverge from the Talmudic stance on self-injury?

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| <p><u>Talmud, Bava Kama 91a</u></p> <p>One is not allowed to injure oneself</p> | <p><u>תלמוד בבלי מסכת בבא קמא דף צא עמוד ב</u></p> <p>אין אדם רשאי לחבל בעצמו</p> |
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**4. Legal and Ethical Frameworks for Injury:**

Maimonides extends the prohibition on injury to others. In Western legal systems, the right to self-defense is acknowledged. How do these legal principles align or conflict with the Torah's perspective on avoiding harm to others?

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| <p><u>Maimonides, Laws of Injury and Damages 5:1</u></p>  | <p><u>רמב"ם הלכות חובל ומזיק פרק ה הלכה א</u></p> |
| <p>It is forbidden to injure oneself or one's fellow.</p> | <p>אסור לאדם לחבול בין בעצמו בין בחבירו</p>       |

**5. Ethics of Body Donation:**

The Igros Moshe prohibits using one's body for medical research. In Western societies, ethical discussions often surround organ donation and medical research consent. How do cultural attitudes towards bodily autonomy and scientific advancement intersect with or challenge this Torah perspective?

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| <p><u>Resposa, Igros Moshe Yoreh Deah 3:140<sup>1</sup></u></p>   | <p><u>שו"ת אגרות משה חלק יו"ד ג סימן קמ</u></p>  |
| <p>As to the question posed from the Office of the President in Washington regarding the use of the organs of a corpse for medical purposes, as commanded in that person's will: I respond concisely according to Torah law which the Sages received one from another back to Moses our teacher, peace be upon him, which he in turn received at Mount Sinai. No one has ownership over his body to the extent that he can command that others use his body—or even one small limb—for any purpose, not even for medical research. How much more is this true of his children and relatives; they <u>certainly</u> have no ownership of his body.</p> | <p>בדבר שנשאל מוואשינגטאן מלשכת הנשיא (אפיס של הפרעזידענט) בדבר שמוש באברים של המת על פי צואתו לצורך רפואה, הנני משיב בקצרה כי על פי דין התורה שקבלו חז"ל איש מפי איש עד משה רבינו ע"ה שקבלנו מסיני אין שום אדם בעלים על גופו לצוות שיעשו בגופו ואפילו רק באבר אחד מאבריו שום דבר אף לא לצורכי השגת ידיעה לעניני רפואה, וכל שכן שבניו וקרוביו אינם בעלים על זה</p> |

II. MURDER AND SUICIDE

What is considered murder and/or suicide in the Torah?

<sup>1</sup> This piece of responsa was addressed to Rabbi Moshe Sherer, of blessed memory, former president of Agudas Yisrael of America, whose main office is in Washington DC.



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**6. Legal Definitions of Murder:**

Western legal systems distinguish between murder, manslaughter, and self-defense. How do these distinctions align with or differ from the Torah's absolute prohibition on murder, and what implications might this have on justice systems?

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| <p><u>Genesis 9:6</u></p> <p>One who spills the blood of man, through man his blood shall be spilled, for in the image of G d did He make man<sup>2</sup>.</p> | <p style="text-align: right;"><u>בראשית פרק ט</u></p> <p>(ו) שִׁפַּךְ דָּם הָאָדָם בְּאָדָם דָּמוֹ יִשְׁפַךְ כִּי בְצַלְמֵ אֱלֹהִים עָשָׂה אֶת הָאָדָם:</p> |
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**7. Divine Accountability vs. Human Justice:**

Genesis 9:5 implies divine accountability for murder. In Western legal systems, human courts handle justice. How do these differing perspectives on accountability influence societal views on justice, punishment, and rehabilitation?

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| <p><u>Exodus 20:12</u></p> <p>You shall not murder<sup>3</sup></p> | <p style="text-align: right;"><u>שמות פרק כ</u></p> <p>(יב) לֹא תִרְצַח</p> |
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**8. Liability and Modern Legal Definitions:**

Maimonides includes indirect actions as murder, contrasting with Western legal definitions. How does Western law grapple with the complexities of liability, intent, and indirect harm in cases of violence or death?

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| <p><u>Genesis 9:5</u></p> <p>However, I will demand an account of the blood of your souls; I will demand it from the hand of every beast. From the hand of man, even from the hand of man's own brother, will I demand an account of man's soul.</p> | <p style="text-align: right;"><u>בראשית פרק ט</u></p> <p>(ה) וְאֶךְ אֶת דַּמְכֶם לְנַפְשֵׁיכֶם אֶדְרֹשׁ מִיַּד כָּל חַיָּה אֶדְרֹשְׁנָהּ וּמִיַּד הָאָדָם מִיַּד אִישׁ אָחִיו אֶדְרֹשׁ אֶת נַפְשׁ הָאָדָם:</p> |
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**9. Explanation of source #9**

<sup>2</sup> This was one of the Seven Noahide Laws, given by G d to Noah and all of his descendants (i.e. the entire human race) upon their exit from the ark, and is therefore incumbent upon all humans.

<sup>3</sup> This seemingly identical commandment was given specifically to the Jewish people at Mount Sinai during the giving of the Torah.



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Maimonides considers suicide as a form of murder subject to divine judgment. In Western societies, mental health discussions often surround suicide prevention and compassionate approaches. How does the Torah's stance on suicide intersect with contemporary views on mental health, autonomy, and assisted suicide?

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| <p><u>Maimonides<sup>4</sup>, Laws of Murderers and Guarding One's Life 2:2</u></p> <p>But one who hires a murderer to murder one's friend, or sends his servant to do so, or binds up his fellow and leaves him in front of a lion or the like, and the animal kills him; even one who kills himself—each one of these is considered a murderer, guilty of murder, and liable to death at the hands of Heaven, although they are not punishable by a human court.</p> | <p><u>רמב"ם הלכות רוצח ושמירת הנפש פרק ב הלכה ב</u></p> <p>אבל השוכר הורג להרוג את חברו, או ששלח עבדיו והרגוהו, או שכפת חברו והניחו לפני הארי וכיוצא בו והרגתו החיה, וכן ההורג את עצמו, כל אחד מאלו שופך דמים הוא ועון הריגה בידו וחייב מיתה לשמים ואין בהן מיתת בית דין.</p> |
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**10. Judicial Factors in Western Legal Systems:**

Maimonides' scenarios for murder involve divine judgment, while Western legal systems rely on human judgment. How do cultural, societal, and legal factors in Western societies contribute to the determination of guilt and sentencing in cases involving harm to others?

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| <p><u>Maimonides, Laws of Murderers and Guarding One's Life 2:3</u></p> <p>From where do we derive that this is the law? The Torah states (Genesis 9:6), "one who spills the blood of man, through man his blood shall be spilled"—this refers to one who murders without the aid of an agent. "I will demand an account of the blood of your souls" (Genesis 9:5)—this refers to one who kills himself. "From the hand of every beast" (ibid.)—this refers to one who binds his fellow in front of an animal so that his fellow will be attacked. "From the hand of man's own brother will I demand an account of man's soul" (ibid.)—this refers to</p> | <p><u>רמב"ם הלכות רוצח ושמירת הנפש פרק ב הלכה ג</u></p> <p>ומנין שכן הוא הדין, שהרי הוא אומר שופך דם האדם באדם דמו ישפך זה ההורג בעצמו שלא על ידי שליח, את דמכם לנפשותיכם אדרוש זה ההורג עצמו, מיד כל חיה אדרשנו זה המוסר חברו לפני חיה לטרפו, מיד האדם מיד איש אחיו אדרוש את נפש האדם זה השוכר אחרים להרוג את חברו, ובפירוש נאמר בשלשתן לשון דרישה, הרי דינם מסור לשמים.</p> |
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<sup>4</sup> Maimonides is the commonly used title for Rabbi Moshe ben Maimon, known also by the Hebrew acrostic of his name, RAMBAM. Besides the fact that Maimonides was a Torah scholar and legal authority of the highest order (much of codified Jewish law is based on his understanding of the Talmud), he was also a physician, having studied medicine in Fez during the years 1160-65, and practiced thereafter in many locations.



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| <p>one who hires others to murder his fellow<sup>5</sup>. In all three cases the expression “demand an account” is used to indicate that the judgment is given to Heaven.</p> |  |
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**Conclusion**

The core of the prohibition against murder is an affirmation of life's sanctity. As Noahides navigate the complex terrain of euthanasia, the Torah's timeless wisdom provides a moral compass. It encourages a thoughtful balance between compassion, ethical reflection, and an unwavering respect for the value of life.

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<sup>5</sup> Later, the question of whether one may actively end one’s own life due to pain and suffering. Rabbi Yaakov Tzvi Meklenburg notes that a warning against fratricide is superfluous, since the verse already mentions homicide. His solution is that the verse is speaking about one who ends the other’s life out of “brotherly love”, e.g. when a suffering patient has begged the other to help him end his life.