YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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**PIKUACH NEFESH**

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**Shiur #49: Shabbat Activity in IDF Rescue and Relief Missions Abroad (3)**

**I. Introduction – The Fear of "Enmity"**

The previous two *shiurim* introduced the issue of "enmity" (*eiva*) in the relationship between the Jewish people and the nations of the world, as a factor in determining the permissibility of rendering medical aid to a gentile on weekdays and on Shabbat. It was emphasized at the end of the last *shiur* that even if we accept the allowance to violate Shabbat or a Festival for a gentile, this does not suffice to permit IDF rescue missions abroad: these are voluntary missions initiated by the State of Israel, sometimes without being requested to do so and in an even broader manner than other countries. Presumably, no one would take issue with the State of Israel if it did not send such delegations, or if it delayed their departure by a few days in order to avoid violating Shabbat or a Festival.

Indeed, Rabbi Dov Lior, in a responsum dealing with the IDF delegation that was sent following the earthquake in Haiti (Tevet 5770), ruled that the decisive criterion is whether the State of Israel was explicitly requested to dispatch a rescue and relief mission:

Had there been a direct request from that country that Israel should render them assistance, it would have been possible to consider it, but as it was reported, the initiative did not come from outside but from ourselves, and in such a situation there was no place to set aside the sanctity of Shabbat… Moreover, countries closer to the scene sent no aid at all, and consequently there was no apparent cause for concern about enmity. (*Responsa Devar Chevron*, vol. 3, no. 422)

According to this, the allowance based on enmity certainly exists, but only in situations in which the State of Israel was requested to render assistance, so that refusing the request or delaying its implementation is liable to result in enmity. In all other cases, it is forbidden.

**II. Considerations of *Pikuach Nefesh***

At the beginning of his responsum, Rabbi Dov Lior notes that it is permissible in some cases to take the initiative and send out a rescue mission for direct reasons of *pikuach nefesh*, if there is even a remote possibility of saving Jews in the disaster area. This is also the position of Rabbi Prof. Abraham Steinberg, who maintains that this is the most clear-cut path to an allowance. The reasoning is anchored in the Talmudic discussion concerning a person buried under debris, for whom we may violate Shabbat despite several layers of doubt as to whether he is still alive:

In any case where there is a concern or an uncertainty, even a remote one, that there is a Jew in the ruins, and even if it is only one Jew, it is certainly permissible to fly the rescue forces as quickly as possible, and if this involves violating Shabbat, it is permitted and a mitzva. The data regarding the situations in which the rescue unit is activated certainly meet the criteria of a possible life-threatening situation.[[1]](#footnote-1)

Indeed, a member of the Jewish community was unfortunately killed in the Mexico earthquake that was mentioned in previous *shiurim*, as well as in the recent earthquake in Turkey. In such circumstances, rescue activity is permitted in a fairly sweeping manner.

At the same time, Rabbi Steinberg is aware that this consideration of saving Jews is not always relevant from a realistic standpoint. He therefore adds that some expeditions will indeed be based only on the concern of enmity:

On the other hand, if it is clear and certain that there are no Jews among the ruins, and the entire effort is being made to save gentiles, it would seem from a technical standpoint that it is forbidden, but there is room to permit it on the grounds of enmity and danger to life. (Ibid.)

In contrast to Rabbi Dov Lior, Rabbi Steinberg does not condition the consideration of "enmity" on an explicit request from the disaster-stricken country. This is apparently because he assumes that at least in some situations, there is a clear expectation that the State of Israel will come to the rescue even if no such request was made, and if it does not come, it will stir up the enmity of the nations of the world.

As noted at the outset of our discussion, there are two additional considerations which may be characterized to some extent as considerations of *pikuach nefesh*. First, just as we extend aid to disaster areas, so we expect that if, God forbid, such a disaster should befall the State of Israel, we will be recipients of aid from other countries. True, there is no "sick person before us" or "danger before us," but if our actions at the time of a disaster abroad will contribute to the saving of lives in the event of a future disaster in Israel, God forbid, this is a clear example of communal *pikuach nefesh*.

Second, I mentioned that the activity in these missions is of crucial importance to the maintenance of the readiness of the IDF rescue and relief forces. As a rule, of course, the IDF does not train on Shabbat, but the lessons and achievements of real-time activity in a disaster zone will undoubtedly enhance the activities of IDF forces on the day of reckoning. In my humble opinion, it would be difficult to rely on this consideration by itself, but in conjunction with the previous considerations, it certainly has a place, and transforms the entire undertaking into a life-saving mission from a future-looking perspective.

**III. Foreign Policy and the Image of the IDF**

In my humble opinion, there is also room to add another consideration to the discussion, which was addressed at length in our *shiur* regarding the activities of IDF Spokesperson's Unit on Shabbat (*shiur* no. 43)*.* There, we clarified that the image of the IDF in the world greatly impacts its ability to prevail in war, and to realize in practice the concept of "until it falls." As we saw in the previous *shiur*, the *Chatam Sofer* also indirectly addressed the issue of "until it falls" in his discussion of the concern of "enmity."

Thus, there is room to argue that moral and professional IDF activity in a disaster zone anywhere in the world will increase the chances of an IDF victory in its next military campaign. It is important to note that, while the State of Israel sometimes sends additional delegations to disaster areas (such as those of MADA, ZAKA, and other organizations), the largest and most central delegation is usually that of the IDF and the Home Front Command. The presentation of Israel's positive face to the world, on the one hand, and the presentation of professional capabilities of the highest order, on the other, are quintessential operational tasks incumbent upon the IDF, which strengthen its own resilience and its standing in the world. Our enemies, too, look to these missions, and when they see an exceedingly moral army that is also very professional, they are surely more strongly deterred.

In the same *shiur* on media-related *pikuach nefesh*, we also pointed out that on the modern battlefield (and this was also the case, to a large degree, in ancient times), image and world opinion are of paramount importance for winning the campaign.

There is no doubt that such a perception, regarding the proper foreign policy of the State of Israel, is among the new questions which have no clear precedents in the codes of the *poskim*, and with which we have been engaged throughout this series of *shiurim.* Not infrequently, even when there is no clear precedent, we can try to uncover the spirit of the halakha on the matter. Therefore, it is appropriate to quote in this context the words of Rabbi Joseph Soloveitchik on the status of the State of Israel in the international arena:

The State of Israel must say to the peoples of the world: "I am a resident among you" – I belong the United Nations. I participate jointly with all for the sake of peace, right and justice in the world. We endeavor to contribute to science in all fields. We water the desert, carry out agricultural experiments in desert areas, strive to overcome tropical and other diseases. We even offer aid to young African countries. In short, we are residents.

But on the other hand, the State remains, as it were, a stranger… it is the only country that is alone and solitary, a nation apart... one nation on earth, “a people that dwells alone.” ("The Revolving Sword and the Two Cherubim," in: "The Rav Speaks: Five Addresses on Israel, History, and the Jewish People," p. 76)

In his characteristic dialectical style, Rabbi Soloveitchik clarifies both sides: "stranger" and "resident." In my humble opinion, it is clear that in order to realize the first goal, which Rabbi Soloveitchik defines as "residence," decisive action in a disaster area is necessary even if there is no clear fear of "enmity" and even if the mission is a purely Israeli initiative. The standing of the State of Israel in the world will affect its security, and at times, even its continued existence. In order to implement a benign, moral, and values-based foreign policy, there must be rapid and professional mobilization in the event of a wide-scale natural disaster.

Here too, it is clear that this is a novel position. And yet, in my humble opinion, in light of all the considerations enumerated above – foremost among them, the concern about "enmity," which we have already seen to be an accepted factor in halakha – there is room to permit the activities of the IDF rescue and relief missions *a priori* – *lekhatchila*.

**IV. Sanctification of God's Name**

There may be room to introduce another principle into the discussion, based on the Talmud *Yerushalmi*.

The Gemara in *Bava Kama* (38a) relates that "the wicked kingdom" sent "two officials" to learn Torah from the Sages of Israel. At the end of their period of study, they praised our holy Torah, but criticized just one halakha: that if the ox of a gentile gores the ox of a Jew, he is liable, but if the ox of a Jew gores the ox of a gentile, he is exempt. The Gemara concludes that on other occasions, one should refrain from teaching this halakhato the government, presumably because they will perceive it as immoral or incomprehensible.

The *Yerushalmi* tells a slightly different version of the story, which includes our topic:

It happened that the [Roman] government sent two officials to learn Torah from Rabban Gamliel. They learned from him Bible, Mishna, Talmud, halakha, and *aggada*. At the end, they said to him: All of your teachings are beautiful and commendable, except for two things which you say: "An Israelite woman should not act as a midwife to a gentile woman, but a gentile woman may act as a midwife to an Israelite woman. An Israelite woman should not nurse the child of a gentile woman, but a gentile woman may nurse the child of an Israelite woman in her premises. What was stolen from an Israelite is forbidden, whereas what was stolen from a gentile is permitted.” At that moment, Rabban Gamliel decreed about what was stolen from a gentile, that it would be forbidden, because of the desecration of God's name. (Jerusalem Talmud, *Bava Kama* 4:3)

The halakha of property stolen from a gentile is related to the halakha of an ox that gored. But alongside this halakha, according to the version in the Jerusalem Talmud, the Roman government's emissaries also criticized the halakha we have been discussing – regarding refraining from rendering assistance to gentiles.

In the wake of this incident, Rabban Gamliel issued a prohibition against inequitable dealing with gentiles in the monetary realm, and declared that such conduct involves a desecration of God's name. Even if halakha technically permits stealing from a gentile (according to some opinions), or exempts an Israelite from liability for certain monetary damages caused to a gentile, in practice we must strive to sanctify God's name in the world, and refrain from such theft absolutely.[[2]](#footnote-2)

Perhaps, then, there is room to say that the same consideration applies to the first halakha appearing in the passage, regarding assistance to gentiles. In other words, when it is clear that rendering assistance to a gentile in distress will involve a great sanctification of God's name, and refraining from doing so will lead to a great desecration of His name, there is room to consider this too as a factor in support of permissibility. This, in the spirit of the Jerusalem Talmud (*Kiddushin* 4:1; *Sanhedrin* 6:7): "The sanctification of God's name is greater than the desecration of His name."

Rabbi Dov Lior, in the responsum cited above, was asked about this, and he was inclined to demur from the idea. He clarifies that "there is something in sanctifying God's name and extending aid, but not by setting aside prohibitions." But perhaps in the aggregate of the considerations already mentioned, there is room to include the value of the sanctification of God's name that occurs when the State of Israel behaves with morality and humanity beyond the call of duty, and is the first to come to the aid of disaster victims. Indeed, in the instruction manual for the Home Front Command that I had the privilege of editing, I did not hesitate to mention this consideration as well:

It is a mitzva and a duty to dispatch rescue and relief teams to disaster areas abroad, and so doing involves a sanctification of God's name. When the order is given, and upon confirmation that the mission is indeed necessary and required, it is an obligation to complete the arrangements as soon as possible, and it is permitted to make arrangements for this purpose even on Shabbat. The rescue teams abroad should continue their work on Shabbat as on weekdays. Examples of life-saving tasks permitted on Shabbat are: rescue from disaster sites, erecting hospitals and rendering medical aid, establishing water and sanitary facilities, hooking up electricity and lighting, airlifting equipment, [and] distributing water and food to the population.

I will close this section with the words of our late Rosh Yeshiva, Rabbi Yehuda Amital, *z"l*:

The sanctification of God's name before the nations is a central theme in the words of the prophets. Israel's conduct towards the nations is measured by the categories of the sanctification and desecration of God's name. Therefore, any immoral behavior of a Jew towards a gentile is a more serious transgression than towards another Jew, as it is taught in the Tosefta: "Stealing from a gentile is more serious because of the desecration of God's name"… Similarly, a good deed performed for a gentile involves a special dimension of the sanctification of God's name. The Jerusalem Talmud says of Shimon ben Shetach, following a good deed he did for a gentile: "Shimon ben Shetach would prefer to hear the words 'Blessed be the God of the Jews' than [to receive] all the money in the world" (Jerusalem Talmud, *Bava Metzia* 2:5, with *Penei Moshe*, ad loc.).[[3]](#footnote-3)

**V. "Mercy and Kindness and Peace to the World"**

I would like to conclude this *shiur* with another fundamental principle, which we have not yet addressed. As we have seen at length, it is permitted to render assistance to non-Jews, even at the cost of violating Shabbat, out of fear of "enmity." And here the question arises: Is the life of a non-Jew worth less than the life of a Jew? Is it not said that "Beloved is man" – any human – "in that he was created in the image of God"?

Some will ask what difference it makes, as long as the halakha in practice is that one may violate Shabbat even to save the life of a non-Jew. But others may argue that there is a certain moral difficulty with this approach. Rabbi Aharon Lichtenstein *z"l* related in the name of Rabbi Shaul Lieberman that a non-Jewish scholar once presented him with the following question: “According to your teachings, my life is worth less than yours. And so, if we were together on a desert island, where no one would know or hear, and there was no question of "enmity" – would you violate Shabbat to save me?” Not the least bit rattled, Rabbi Lieberman responded: “Of course I would do everything to save you!” The fellow pressed: “But there is no enmity here!” And Rabbi Lieberman responded: “Nonetheless!” But later, when Rabbi Lieberman related this story, he added: "Of course, my entire answer to him was because of enmity."

The story is nice, but the question remains: Is it correct to say that on principle, it is inappropriate to assist gentiles, even though they were created in the image of God, and it is only because of the external concern about "enmity" that we are forced – for lack of an alternative – to render them aid on Shabbat?

Although there are sources that imply this position, Rabbi Isser Yehuda Unterman rejected it out of hand. I quoted a brief passage from his article in the previous *shiur*, and will now clarify the context in which it was written.

In Shevat 5726, an article by Prof. Israel Shachak, a human rights activist who held extreme anti-religious views, appeared in the newspaper *Ma'ariv*, in which he related that on a Shabbat morning, a non-Jew collapsed in the street in the heart of Jerusalem, and all the neighbors in the vicinity, who were Shabbat-observant, refused to call emergency services on the grounds that Shabbat was not to be desecrated for his rescue. Shachak published a conversation that he conducted on the subject with the Sephardic Chief Rabbi of Jerusalem, Rabbi Eliyahu Pardes, and his conclusion was that Jewish law is racist and immoral, in that it allows a non-Jew to die in the street with nobody willing to help.

Shortly thereafter, it became clear that the whole affair was a fabrication, and that Professor Shachak's sole intent was to stir up a tempest against the Torah. The tempest indeed arose, and so the Chief Rabbi of Israel at the time, Rabbi Isser Yehuda Unterman, was called upon to respond.[[4]](#footnote-4) Rabbi Unterman's article became a landmark essay on the subject and was reprinted several times: first in the journal *Kol Torah* in Adar 5726, again that year in the pamphlet *Or ha-Mizrach*, and a third time some years later in the volume *Morasha* 1 (5731). The citations here are taken from Rabbi Unterman’s book, *Shivtei Yehuda*, where the article was printed for the fourth time.

Rabbi Unterman explains that indeed, the allowance to violate Shabbat to save a gentile derives from considerations of "enmity" and "the interests of peace." But rather than understand these considerations as "external" to halakha, notions that "bend" the halakhic rulings, Rabbi Unterman asserts that they lie at the very heart of halakha:

Recently, to our sorrow, words of subversion have been sounded against the moral values of Torah Judaism, and especially against the Torah's view of non-Jews, as if there were no proper attitude in halakha toward the gentile. When the critics were shown that their arguments were without substance, and that their criticism is refuted by explicit halakhic injunctions to treat all mankind with kindness and help them in matters of charity and kindness, the detractors clung to one argument: they say that these halakhic injunctions were established only in the interests of peace and not according to the strict letter of the law. It is therefore necessary to explain the true meaning of the term "the interests of peace," which is not a matter of special piety nor a means of self-defense, but rather derives from the very morality of our holy Torah. And even among the Torah-faithful, there may perhaps be those who have not penetrated to the depth of this concept as it is illuminated by the words of *Chazal*, and therefore it is incumbent upon us to expand the discussion of this matter, even though there is nothing new in our words…

If the first part of the verse, "Her ways are ways of pleasantness" (*Mishlei* 3:17), serves as a foundation for Torah laws [see *Sukka* 32 and *Yevamot* 87, where *Chazal* derive *halakhot* based on this half of the verse], surely the latter part of the verse, "and all her paths are peace," also determines the interpretation of the laws of the Torah that pertain to halakha, and therefore the Rambam brings this verse as the source from which is derived the authority of the Sages to enact ordinances for the sake of peace. Even though each ordinance itself is of the Rabbis, its root draws on the verse that [teaches that] the paths of the Torah are peace. Thus, we learn that the ways and paths of the Torah are pleasantness and peace, and they are directed at our great goal of emulating our Creator in our deeds; just as He is good and merciful to all, so too should you aspire to be good and merciful to all…

It follows that the ways of peace that our Sages instituted draw their existence from the depth of the moral insight of our holy Torah, and this is the source of all decisions in matters of halakha… And just as it is impossible to call someone a Torah-observant person who scoffs at fixed Rabbinic ordinances such as the second day of Yom Tov in the Diaspora, or mixtures of chicken and milk, and the like, so too it is inappropriate to give this title of Torah-observance to one who refuses to observe the regulations instituted in the interests of peace, for all this stems from the living waters of our Torah as it was transmitted by way of the Oral Law…

In summation, the laws of the ways of peace are derived from the moral source of the Torah, whose “ways are ways of pleasantness and all its paths are peace,” and they were established by our ancient Sages according to their great understanding, and this obligates us all. (*Shevet mi-Yehuda*, vol. 3, sec. 1, no. 70)

Rabbi Unterman was not satisfied until he established that anyone who does not accept these simple things is not worthy of being called "Torah-observant."[[5]](#footnote-5)

As noted, Rabbi Unterman's essay became a seminal article, and Prof. Yaakov Blidstein reports that Rabbi Joseph B. Soloveitchik also addressed it:

I will close this section with an anecdote concerning Rabbi Soloveitchik, z"l. I recall an evening dinner with some Stern College faculty which coincided with a *pesak* issued by the then Chief Rabbi Unterman (in the early '60's) that Jews were obliged to desecrate the Sabbath in order to save the life of gentiles. The rationale – a traditional one for this topic – was *darkhei shalom* (or *eiva*) in its self-serving sense: if we didn't act in such a manner, Jewish lives would be put at risk. The Rav then commented that he didn't understand why the *pesak* had received so much attention – he had issued similar directives to Jewish doctors for many a year, and for similar reasons: the lives of Jewish patients would be put at risk otherwise. He was then asked whether, aside from the substantive content of the decision itself, he felt morally comfortable with the rationale he had given. He said no, he was in fact uncomfortable with it; and he then proceeded to propose, provisionally, an approach in which the ethical level of a culture determined its status... (Prof. Gerald (Yaakov) Blidstein, “Halakha and Democracy,” *Tradition* 32:1, Fall 1997, p. 30)

On the one hand, Rav Soloveitchik ruled in practice that one may certainly desecrate Shabbat to save non-Jews, and as we have clarified at length, this has been the ruling of the *poskim* for centuries. On the other hand, It is clear that he struggled with the question of whether "the ways of peace" and "enmity" are satisfying considerations, and how to relate to modern moral and ethical considerations.

Unfortunately, I was not privileged to discuss this profound question with my teacher, Rabbi Lichtenstein. However, in a significant essay on the subject of "sin for its own sake," Rabbi Lichtenstein expresses a position very close to that of Rabbi Unterman:

A comprehensive vision of the halakhic world demonstrates, as the Ramban pointed out in several contexts, that it has a dual character: on the one hand, a fairly complex and detailed system of specific commandments – sometimes formal and technical; and on the other hand, a number of basic values that serve in one sense as the foundation of the system, and in another sense as its crowning glory. Those value-laden goals – holiness, the right and the good, peace, human dignity, etc. – are not an external factor that bends the halakha, but an ingredient that leaves its imprint on its content, thereby allowing, in special circumstances, what is normally forbidden. (Rabbi Aharon Lichtenstein, "‘*Aveira li-Shema’: Hirhurim be-*Halakha *u-ve-Machshava*," in: *Mussar Aviv*, pp. 163ff.)

Thus, we see that Rabbi Lichtenstein shares the view that considerations of morality and peace do not "bend" halakha, but rather shape it and are an integral part of it.

We opened this series of *shiurim* with the words of the Rambam:

This teaches that the judgments of the Torah do not [bring] vengeance to the world, but rather bring mercy, kindness, and peace to the world. (*Mishneh Torah*, *Hilkhot Shabbat* 2:3)

True, the Rambam rules in the very same chapter that Shabbat may not be desecrated in order to save non-Jews. Yet I do not think this detracts from the fundamental message, that the saving of human life – and, according to more recent *poskim*, this means the life of any human being, and in the words of Rabbi Avigdor Nebenzahl in the name of Rabbi Sh. Z. Auerbach, "as if he were a Jew" – is an act of mercy and kindness and peace in the world.[[6]](#footnote-6) And as we were taught by Rabbi Unterman and Rabbi Lichtenstein, kindness and peace in the world are not considerations that are extrinsic and alien to halakha, which compel it to be lenient, but rather fundamental and essential considerations, which guide halakha and its decisions in all areas.

(Translated by David Strauss; edited by Sarah Rudolph)

1. Rabbi Prof. Avraham Steinberg, "*Pe'ilut be-Chazit ha-Oref – Hebetim Hilkhatiyim*," in *Assia* 81-82, 5768. [↑](#footnote-ref-1)
2. See also the *Semag* (positive commandment 44), who expands on this point and attests that he himself demands in every case that Jews neither steal from non-Jews nor treat them unfairily. According to him, avoiding the desecration of God's name, on the one hand, and sanctifying His name by walking in the ways of truth, justice, and righteousness, on the other, are essential conditions for the redemption of Israel. [↑](#footnote-ref-2)
3. Rabbi Yehuda Amital, "*Ha-Yachas le-Mi'utim al pi ha-Torah bi-Medinat Yisrael*," lecture delivered at the Ministry of Education in 1986, which was later published in Yeshivat Har Etzion's *Daf Kesher* (issue no. 200, Rosh Hashana 5750). [↑](#footnote-ref-3)
4. For a wide-ranging discussion of this article, see the correspondence between Rabbi Avi Rontzki and Yoskeh Achituv in the journal *Itturei Kohanim* (issue no. 180, 5760). Rabbi Rontzki advances the interesting notion that "it is possible that in the distant past there was no moral problem with this, and therefore God arranged that the law of enmity would be innovated, and that in practice it would be permitted to treat him." Yoskeh Achituv, in contrast, tends to accept the view that Rabbi Unterman rejects, according to which an allowance based only on "enmity" is insufficient from a moral and ethical standpoint.

   For further discussion of Rabbi Unterman's remarks, see also Rabbi Binyamin Lau, "*Babu'a shel Emet – Rabbanut ve-Akademiya be-Kitvei Rabbi A. Sh. Rosenthal al Hatzalat Goy be-Shabbat*," in: *Akdamot* 13, 5763. [↑](#footnote-ref-4)
5. Rabbi Chaim David Ha-levi (*Responsa Aseh Lekha Rav*, vol. 9, no. 30, and no. 33) rejected the words of Rabbi Unterman, arguing that considerations of "the ways of peace" are indeed *bedi'eved* (“after the fact,” or second-tier), and not *lekhatchila*. Yet, in the course of his remarks there, Rabbi Ha-levi proposes a position that is much more far-reaching than that of Rabbi Unterman, which asserts that in the case of gentiles who are not idolaters, whose ways are upright, there is a full-fledged "moral obligation" to deal with them honestly and justly. The problem is that all the examples he brings there are related to matters of practicing kindness; he does not specifically address the core of Rabbi Unterman's discussion of helping a non-Jew on Shabbat, and the question whether the allowance to do so – because of “enmity” and “the ways of peace” – is *lekhatchila* or *bedi'eved*. [↑](#footnote-ref-5)
6. Rabbi Lichtenstein writes elsewhere ("*Mah Enosh*: Reflections on the Relation between Judaism and Humanism," *The Torah U-Madda Journal*, vol. 14, 2006-07, pp. 1-61; available on the Torat Har Etzion website, [here](https://www.etzion.org.il/sites/default/files/2021-01/RAL-Mah%20Enosh-%20Judaism%20and%20Humanism.pdf))that if the allowance of *pikuach nefesh* on Shabbat is based on the halakhic obligation of "he shall live by them," or "profane for his sake one Shabbat, so that he may keep many *Shabbatot*," then it is obvious that the allowance applies only to Jews. But the more we emphasize the Rambam's words here about the moral and ethical obligation to save life, the more it applies to saving non-Jews as well. However, Rabbi Lichtenstein did not write his words there in a halakhic context, but only as a theoretical consideration in relation to the Talmudic passage. [↑](#footnote-ref-6)