Human Life, the Divine Image, and Suffering at the End of Life
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Theological background: The value of human life
A central idea in Judaism – inspired by key biblical passages, such as Genesis 1:26-28 and 9:1-7 – is that each human being is created in God's image. This is reflected in a powerful commitment to saving and prolonging life; by contrast, murder (and also suicide) constitute terrible sacrilege. This perspective is crucial for understanding Jewish perspectives on end-of-life decisions.

The following Rabbinic text is a commentary on the concrete form of the Ten Commandments, which were inscribed on two tablets constituting, our text presumes, two columns of five. Applying a classification encountered in the classical Rabbinic work, the Mishnah (Yoma 8:9), it may be said that the second tablet is devoted to commandments "between one person and another," while the first contains those "between a person and God."

How were the Ten Commandments presented? Five on one tablet and five on the other. Scripture pronounces "You shall have no other God" – and facing that, "You shall not kill". Scripture thus pronounces that anyone who sheds blood is considered as though he had diminished the [divine] Image.

A parable: [This is] like a king who entered a state, set up icons, produced statues, and minted coins [all with his likeness]. After some time, the [people] overturned the icons, broke the statues and defaced the coins – [thereby] diminishing the king's image.

Similarly, anyone who sheds blood is considered as though he had diminished the [divine] Image, as written, "Whoever sheds the blood of a human, by human [hands] shall his blood be shed, for in God's image was the human made." (Genesis 9:6). (Mekhila ba-hodesh 8)

The text goes on down the twin columns, expounding the substantive connections between the pairs of commandments. When a human being is attacked, says our text, this constitutes an assault on God's image. On one reading, the parable's message is rather anti-humanistic. For icons and statues have little value in themselves; their true
value derives from what they represent, being symbols of the king's realm. Human beings are thus valued – to draw the parallel – merely as emblems of God; the severity of killing a person lies in the damage inflicted on God's domain. In Kantian terms it might be said that human beings are valued here not as ends in themselves, but as means for promoting God's image.

An alternative understanding of the parable is suggested, however, by a striking embellishment of the coin metaphor, found in another Rabbinic text. This text is part of a homily on the value of human life included in the Mishnah's record of the "warning" addressed to prospective witnesses in capital cases. The homily is arranged as a string of explanations for the fact that God chose to create, as the beginning of the human race, a single person. And one answer is that this comes
to show the greatness of the Holy One. For a person mints many coins with one stamp, and they are all the same. But the King of Kings, the Holy One, mints every person in the mint of the first Adam, and not one of them is the same as another. Therefore, every person ought to say: The world was created for me. (Mishnah sanhedrin 4:5).

The metaphor has been given a paradoxical twist implying a crucial shift in the locus of value. The value of actual coins depends on their being "all the same," whereby they reflect that which is external to them as mere objects. In a monarchy, they carry the king's image, reflecting the power of the sovereign. The divine "coins," by contrast, derive their value, like collector's items, each from its uniqueness. Yes, each person is valued as an image of God, but, as with a work of art, the form cannot be subtracted from the content: each image is unique in him or her self. Unlike ordinary coins or icons, people are not mere symbols of a transcendent divine entity; rather, the human mosaic constitutes the divine image.¹

Applications to end-of-life situations
In the sixteenth-century code of Jewish Law, the classical Shulkhan 'Arukh, the sections on tending to the sick are followed by a special section on "laws pertaining to the dying" (Yoreh Deah 339). The sacred value of human life is conveyed by a

¹ Keeping in mind traditional theology, it is worth noting that God's Image is by no means identical to God, who is Himself of course not "constituted" by His reflections (or by anything else).
talmudic metaphor: the life of the moribund is like a flickering candle, and "anyone who touches him is a shedder of blood". When a person reaches this final phase of gosset, the soul's departure may not be hastened - even where a quicker release is requested by the dying person; but neither may it be hindered. Several halakhic writers place this in the context of the prohibition on suicide, derived from the biblical passage—mentioned at the outset—that emphasizes the exalted value of human life, created in 'God's Image' (Genesis 9:5-6; and Genesis Rabbah 34:13).

Some prominent contemporary writers plausibly argue that since suicide is prohibited, active euthanasia and assisting in suicide must both be condemned, even if performed at the patient's explicit behest. The legitimacy of "passive" euthanasia is cautiously accepted - extending even, on a minority view, to the removal of artificial life-support.

But if the question is defined in terms of the prohibition of suicide, it is crucial to note that the same Rabbinic text pronounces also two exceptions to the prohibition. These exceptions are not defined in general terms, but rather by pointing to Biblical examples. The two examples of legitimate suicide are those of

1) Saul (1 Sam. 31: 1-6; cf. also 2 Sam. 1:1-16), and

2) Hananiah, Misha'el and Azariah (Daniel ch. 3; cf. ibid 1:7)

The second exception involves martyrdom: the three Jewish youngsters were prepared to be thrown into a furnace rather than worship an idol. With respect to the first exception, the primary biblical account reads:

The battle raged around Saul, and some of the archers hit him, and he was severely wounded by the archers. Saul said to his arms-bearer, "Draw your sword and run me through, so that the uncircumcised may not run me through and make sport of me".

But his arms-bearer, in his great awe, refused;

whereupon Saul grasped the sword and fell upon it. (1Sam 31:3-4)

Saul knew that he was doomed; fearing torture (and degradation, too), he took his own life — and the Rabbis made his deed a paradigm of legitimate suicide. Saul's death has been the focus of much discussion in the halakhic tradition, from the Middle Ages down to the present; three basic approaches can be discerned.
One approach assimilates Saul's self-inflicted death to the model of martyrdom: Saul was afraid of being tortured not only because of the physical suffering, but also – and crucially – because he would be driven to apostasy. Historically, this interpretation seems rooted more in the harsh and heroic epoch of Jewish communities under the Crusades than in the Biblical account itself. Applied to the context of illness, this might suggest a legitimation of suicide where a person feared that his or her suffering might lead to blasphemy.

A second approach reads the midrashic statement about Saul not as justifying but merely as excusing. On this view, Saul’s fear was indeed of physical suffering; being thus impelled by powerful emotion, he should not be held liable for killing himself. Here too, the statement about Saul is assimilated to a well-known model. Since culpable suicide entailed in principle certain social and ritual sanctions, the issue of the deceased’s emotional incapacity has long been raised as a compelling excuse. Thus a person facing a tortured death is never permitted to take his own life; insofar as he is able to abide by the proper norm, he may not commit suicide. But once he has in fact killed himself, we are to adopt the sympathetic presumption of non-liability due to compulsion.

A third approach, however, focuses directly on the explicit circumstances of Saul’s death in the Biblical account. Nahmanides writes simply:

And likewise [inculpable is] an adult who kills himself because of a menace, like king Saul, who killed himself; indeed this was permitted to him. For thus we read in Genesis Rabbah: "...Could this apply to one who is trapped like Saul?"

Nahmanides – whose position became the mainstream halakhic ruling, at least prior to modern times – states plainly that any person finding himself in dire straights, like King Saul, is permitted to seek escape through suicide. God’s sovereignty need not be confirmed through denying His human subject such an escape. Instead, the choice of an earlier death is fully accepted in divine compassion for the individual, created in God's image.

This exception from the prohibition of suicide has been taken by some modern authors as a basis for permitting suicide by a terminal patient, seeking to escape severe suffering. If their view is adopted, it seems to imply permission – or perhaps, even a moral obligation – to provide assistance to a patient who chooses to do so.