

CURRENT TALMUD PASSAGE

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BH

WHOSE LIFE COMES FIRST?

Rabbi Akiba was well acquainted, in his early days, with the hardships of real life, uncushioned by the wealth he would later accumulate. As a shepherd, he would have been used to making difficult choices when it came to the lives of his stock. That realistic approach is demonstrated with his regard to human beings, as well.

[If] two [people] who were walking on the road and if one of them had in his hand a ladle of water [and] if the both of them drank [from it] and died [i.e., there was only enough water for one person to survive] and if [only] one of them drank [and he was able to] reach a settlement [what should the people do?] Ben P'torah expounded: it would be better for both of them to drink and die than for the one to see his friend's death. [This ruling stood] until Rabbi Akiba came and learned: "Your brethren shall live with you. (Leviticus 25:36)" [means] your life takes precedence over the life of your friend. (B. Baba Metsiah 62a)

How can we explain Rabbi Akiba's ruling? First of all, there is the grammatical point that the verse from Leviticus brings to light: no one can live with you if you are not alive. Second, Rabbi Akiba rules from the heart of Jewish principles: when we make exceedingly difficult choices, we choose the outcome that will yield the most life. Note that though the law follows Rabbi Akiba, it only legislates the minimum behavior required. One could go above and beyond this ruling and allow one's companion to take the water and die oneself. However, it is clear that sharing the water and having both persons die is out of the question.

Discussion Questions:

1. Can you imagine yourself in the situation described here in which you have enough of something (water, energy, money, etc.) to save yourself but not enough to save two people? No one can know for certain until they are in this position what they would do but hazard a guess. Under what circumstances might you give everything you had to save another person's life?