

YEHUDA TURETSKY

Prayer and the Terminally Ill Patient

Introduction

Advances in modern medicine have led to better health care and quality of life than were ever possible in previous generations; they have increased life expectancy rates throughout much of the world and contributed greatly to physician and patient understanding of many illnesses. These improvements have also led to situations that rarely existed in previous eras, as patients are informed that they suffer from a terminal illness and are left to cope with the information.

Several studies have assessed the role of prayer in such circumstances from a medical perspective.¹ The purpose of this article is to address a variety of issues that arise regarding prayer and the terminally ill patient from a Torah based outlook, hopefully lending insight into the role and function of prayer in such contexts. While this is not a comprehensive analysis of all the relevant issues, this article has numerous implications for the ideal form and type of prayer to be offered and can serve as a springboard to assess different questions relating to one's orientation during prayer in these unfortunate circumstances.

Prayer in Times of Crisis

There are several indications that prayer has a unique

1 See, for example, E.J. Taylor and F.H. Outlaw, "Use of Prayer Among Persons with Cancer," *Holistic Nursing Practice* (2002): 16(3), 46-60, and L.B. Bearon and H.G. Koenig, "Religious Cognitions and Use of Prayer in Health and Illness," *The Gerontologist* (1990): 30(2), 249-253.

status and function in times of crisis, which clearly has specific relevance for terminally ill patients and those impacted by their illness. It is important to clarify if there is an obligation to pray in such situations, as well as to relate to the precise relationship between prayer and crisis.

Is there an obligation to pray?

The *Rishonim* debate whether one is biblically obligated to pray each day. Rambam maintains that such a requirement exists,² while Ramban disputes Rambam's position and argues against a biblical obligation to pray daily.³ However, Ramban, at least as understood by later authorities, equivocates whether there is nevertheless a biblical obligation to pray in troublesome or crisis situations (what he calls an "*eit tzarah*"). *Magen Avraham*⁴ notes that *Semak* also maintains that one is biblically required to pray in crisis situations.⁵ According to both Ramban and Semak, however, it is not entirely clear what qualifies as a troublesome situation and if it is limited to severe or communal calamities.⁶

There is an oral tradition that R. Yitzchak Zev Soloveitchik would often offer short prayers, even in the middle of

2 *Hilkhot Tefilah* 1:1; *Sefer Ha-Mitzvot*, positive commandment 5. See also *Ta'anit* 2b; *Sefer Ha-Hinukh*, *mitzvah* 433; and *Smag*, positive *mitzvah* 19.

3 Ramban, glosses to *Sefer Ha-Mitzvot*, positive commandment 5. Support for his approach can be found in *Berakhot* 21a and *Sukkah* 38a. Many *Rishonim* accept Ramban's view; see, for example, Rashi, *Berakhot* 20b. For a possible limitation of Ramban's view, see *Hiddushei Ha-Gra Ha-Levi* on Rambam, *Hilkhot Tefilah* 4:1.

4 *Magen Avraham*, *Orah Hayim* 106:2.

5 *Semak*, *mitzvah* 11.

6 See *Sefer Ha-Hinukh*, *mitzvah* 433, in the name of Ramban and the discussion in *Ishei Yisrael* 7:1:11, p. 61, regarding whether Ramban's position is limited to communal tragedies or extends to individual crises.

According to R. Soloveitchik, *Worship of the Heart* (Hoboken, NJ: Ktav Publishing, 2003), 30-33, and *Reflections of the Rav* (Hoboken, NJ: Ktav Publishing, 1993), 80-81, the entire debate between Rambam and Ramban regarding whether there is a biblical obligation to pray daily is based on mutual agreement that one is obligated to pray in crisis situations. They differ specifically in regard to the type of crisis that necessitates prayer.

conversation with another person. Some view this as a possible reflection of a more ambitious understanding of Rambam that necessities prayer at even minimal amounts of crisis and trouble.⁷ If one accepts such a position, a terminally ill individual would undoubtedly be required to pray for his illness to go away, and the same might also be true for other people directly impacted by the illness.

Another possible source for prayer in such situations emerges from Rambam's rulings in *Hilkhot Ta'aniyot*. Rambam maintains that an obligation to pray exists whenever a calamity befalls an entire community.⁸ He later adds that just as a community fasts for their calamities, an individual should fast and pray for mercy if such a misfortune occurs.⁹ As such, individuals suffering from terminal illnesses should pray in fulfillment of this *halakhah*.¹⁰

Aside from the ill individual's own prayer, it is possible that others are obligated to pray on his behalf.¹¹ *Sefer Hassidim* maintains that because all of the Jewish People are responsible for each other, all are obligated to pray when someone is ill.¹² Similarly, R. Alexander Ziskand appears to argue that praying for an ill individual is a fulfillment of the commandment to

7 See *She'arim Be-Tefillah*, 31.

8 *Hilkhot Ta'aniyot* 1:1.

9 Ibid. 1:9. Rambam assumes the prayer would be part of the formal fast day service. See also *Tur, Orach Hayim* 569; *Shulhan Arukh* 569:1.

10 While these authorities mention the need to fast in the face of personal crisis, many ill patients would be prohibited from fasting because of the potential health risk involved. Similarly, while not referring to this particular context, many authorities caution against fasting nowadays unless it is mandated by Halakhah, as fasting often impinges on one's ability to effectively pray, study Torah, and perform *mitzvot*. They therefore maintain that it is better to pray and learn more than engage in fasts. For a discussion of the appropriateness of fasting nowadays for one who would otherwise be engaging more substantively in prayer and Torah study, see R. Moshe Tzuriel, *Otzrot Ha-Mussar*, vol. 1, 115-16.

11 For a discussion of sources that maintain that others are obligated to pray, see *Bi-Torato Yehegeh*, vol. 2, 105-6.

12 *Sefer Hassidim*, no. 753. He is referring to the halakhic category of *arvut*; see *Shevuot* 39a.

love one's fellow Jew.¹³ R. Moshe Feinstein also significantly expands the number of people obligated to pray, maintaining that one is obligated to pray whenever one is aware that an individual is ill, and all the more so when asked to pray on behalf of a sick person.¹⁴ R. Feinstein powerfully proves that the prayer of any individual may be accepted, regardless of personal piety or observance, so long as they believe in God.¹⁵

That such an obligation exists reflects a powerful perspective on prayer's relationship to crisis. It highlights one's dependence on *Hashem* and the need to turn towards God when presented with terrible news. According to R. Feinstein, such an obligation may exist for even those individuals who are not directly impacted by the illness. While not all people are medical professionals or in positions to provide direct care to the patient, all have the power and obligation to pray.¹⁶

Prayer and Crisis: What Causes What?

The above mentioned sources clearly highlight the

13 *Yesod Ve-Shoresh Ha-Avodah, sha'ar* 1, chapters 7-8. The requirement of "ve-ahavta le-rei'akha kamokha" (*Vayikra* 19:18) is attributed significant status in rabbinic literature; see Rashi ad loc. and *Shabbat* 31a. R. Ziskand's approach is based on a fairly ambitious understanding of this commandment. For a discussion of the opinions of various *Rishonim*, see *Minhat Asher* on *Vayikra*, 276.

14 *Iggerot Moshe*, vol 8, *Yoreh De'ah* 4:51. He proves this from the laws of visiting the sick, in which the primary *mitzvah* is to pray on behalf of the sick individual. In this regard, see *Nedarim* 40a; *Shabbat* 12a-b; *Rema, Yoreh De'ah* 335:4; *Shulhan Arukh, Yoreh De'ah* 335:5; and *Iggerot Moshe, Yoreh De'ah* 1:223.

15 R. Feinstein notes that the prayer of scholars is particularly potent. The Talmud (*Bava Batra* 116a) instructs someone with a sick person in his house to ask a scholar to pray on behalf of the ill individual. Since the likelihood that the prayer will be accepted is greater, R. Feinstein cautions such scholars to pray for people when requested to do so, as they have a special obligation to pray because of the efficacy of their prayers. Regarding who qualifies as a scholar, and in particular the inspiring words of R. Feinstein about his own status, see the end of the aforementioned *teshuvah*.

16 For further discussion of the connection between prayer and crisis, see *Shearim Be-Tefillah*, 26.

unique status of prayer as a response to crisis. Indeed, the Jewish people prayed as a result of their misfortunes while subjected to servitude in Egypt,¹⁷ and many biblical figures prayed because of their infertility.¹⁸ The connection between crisis and prayer is clear. As R. Soloveitchik observed:

Only distress warrants prayer. If the mind is not haunted by anxiety, not plagued by *tzarah*, narrowness and constriction, if neither fear nor forlornness assault of the mind, then prayer is a futile gesture.¹⁹

According to R. Soloveitchik, it is calamity and anxiety that allows for and generates authentic prayer. The troublesome situation, which for Ramban and *Semak* may lead to a biblical obligation to pray, not only changes the status of the prayer; it also allows for a more intense and powerful prayer.

Others have offered a related but fundamentally different approach to that of R. Soloveitchik.²⁰ They, too, point to a link between troublesome experiences and prayer, but they emphasize that the reason for the crisis itself is to inspire prayer and increase closeness to God. Because of the crisis, a person becomes closer to *Hashem* through prayer, and that is the ultimate reason why the crisis came about in the first place.

Irrespective of these different perspectives, the terminally ill individual and those aware of and impacted by the illness are in a unique position to pray. The rest of the article will relate to one's orientation during prayer, the content of prayer, and whether it is ever appropriate to stop praying.

17 *Shemot* 2:23. See the comments of *Or Ha-Hayim* ad loc.

18 See, for example, *Bereishit* 25:21.

19 *Worship of the Heart*, 29.

20 *Siftei Rennanot*, 83-85, cites formulations of this perspective from R. Yechezkel Levenstein (*Tefillat Hannah*, 27) and R. Chaim Friedlander (*Siftei Hayim, Mo'adim*, vol. 2, 181) and brings support from *Hazal* for such an approach.

Belief in the Acceptance of Prayer

Those who are terminally ill or have terminally ill family members are often faced with a tension regarding the ideal orientation to have during prayer. On the one hand, it is the belief in the efficacy of prayer that generates the desire to pray; such a powerful conviction offers encouragement and hope, and at times even confidence in the future. However, many are cautious to place too much hope in their prayers being accepted, in case, God forbid, the patient does not experience a complete recovery. This tension emerges clearly in certain statements of *Hazal*.

Hazal state in numerous contexts that there are ways to ensure that one's prayers will be answered. The Talmud states that anyone who lengthens his prayer will not have his request returned empty handed,²¹ and the Talmud Yerushalmi reaches a similar conclusion.²² The Talmud also states that while the gates of heaven may be closed, the gates of tears are always open,²³ and that one should go to a Torah scholar if someone is sick at home, as the scholar's prayers will undoubtedly be answered.²⁴ Indeed, halakhic authorities have even questioned whether one may violate the Shabbat to ensure that a scholar will pray on a sick person's behalf, a possible indication of the confidence in the efficacy of that prayer.²⁵

21 *Berakhot* 32b.

22 Yerushalmi *Berakhot* 4:1. It is not entirely clear what the Talmud means when it refers to lengthening prayer. R. Yaakov Chaim Sofer, "*Be-Inyan ha-Marbeh bi-Tefillah*," *Yeshurun* 3 (1997): 395-96, maintains that it does not refer to spending a long time on individual words and praying with increased intensity. Instead, it refers to multiple prayers and continuing to beseech the Almighty that one's prayers be answered. He finds precedents for his understanding in the Talmud itself (*Berakhot* 55b) and the writings of Netziv (*Ha'amek Davar*, *Devarim* 9:19), R. Y.Y. Kanievsky (*Hayei Olam* 2:2842), and others. R. Sofer also relates to the apparent tension in *Hazal* between praise of lengthening prayer and the Yerushalmi's criticism of excessively long prayers (Yerushalmi *Bikkurim* 2:1).

23 *Berakhot* 32b.

24 *Bava Batra* 116a.

25 See, for example, R. Yehuda Shaviv's discussion in *Asia*, available at

While these and other sources offer much encouragement, they also raise a fundamental question for those whose prayers are not answered. If, for example, the gates of tears are never closed, how is one to understand prayer that is offered while crying but apparently not accepted? Three perspectives to this question will be outlined below, shedding light on various possible orientations towards prayer in such circumstances.²⁶

One approach is that *Hazal* should not be understood literally. They did not intend to convey that one will surely be answered, but instead that following certain guidelines will increase the likelihood that the desired result will be achieved. This general perspective is offered by R. Moshe Feinstein in relating to the implication of the Talmud's statement (as understood by Rashbam) that promises that a prayer recited by a Torah scholar on behalf of a sick individual will be answered. R. Feinstein notes that the prayers of various Tannaitic figures were not answered, leading him to suggest that the Talmud means simply that it is more likely that a Torah scholar's prayer will be answered, not that success is guaranteed.²⁷ According to this approach, one's orientation should be hopeful that the prayer will be answered if one follows *Hazal's* suggestions for effective prayer, but realistic about the fact that the prayer may not be answered as desired.

Another perspective is that God does not answer prayers in the affirmative if it is not in the best interest of the suppli-

<http://www.daat.ac.il/daat/kitveyet/assia/refua-2.htm>. Alternatively, this allowance may reflect the extent to which one must go to find a cure, even if it involves transgression of a prohibition. When exactly one is allowed to violate the Shabbat on behalf of an ill individual is beyond the scope of this article.

²⁶ While other possible perspectives exist, these appear to be three primary approaches towards this issue.

²⁷ *Iggerot Moshe*, supra n.14. This may reflect a general perspective, according to which certain statements of *Hazal* are not meant to be taken literally. For more on this, see, for example, *Taz, Yoreh De'ah* 242:1; R. Tzvi Hirsch Chajes, *Mavo Ha-Talmud*, chapter 19; and R. Ovadiah Yosef, *Me'or Yisrael, Shabbat* 12b.

cant.²⁸ In other words, God always responds to the prayer, but sometimes He answers in the negative. One prays based on one's perspective, but God responds based on a broader vision. As the Talmud observes, "all that God does is for the best,"²⁹ and that may entail the rejection of certain prayers. As such, the supplicant's orientation is one of fervent desire for the prayer to be accepted, with the recognition that God is in control and may, in fact, respond in the negative.

According to this view, it would seem that even apparently negative events should be viewed positively, as they are clearly part of God's plan no matter how distressing or unwanted. However, such an approach may be somewhat difficult to understand, as Halakhah demands that one respond to certain events as negative, not as positive events not properly understood. The Talmud's statement that "one must bless God for the bad just as he blesses Him for the good"³⁰ strongly implies that certain events are in fact negative. Similarly, the notion of punishment for sins indicates that not every decree from heaven is positive, nor should it be accepted as such.³¹ Thus, it would seem that prayer may be rejected even if this is detrimental to the supplicant.

A third perspective argues that all prayers are answered, but not always for what the person requests. *Sefer Hassidim* quotes an opinion that even if one's prayers do not appear to be answered, the prayers will in fact have an effect for the supplicant and his descendents in the future.³² Thus, as the Talmud

28 See *Midrash Tanhuma, Terumah* 9.

29 *Berakhot* 60b.

30 *Ibid.* 54a. See below, n.42, for Dr. Moshe Halbertal's explanation of the prohibition to pray for miracles, which relates to this Talmudic statement.

31 A more thorough discussion on this topic is beyond the scope of this article.

32 *Sefer Hassidim*, no. 387, cited in *Siftei Renanot*, 80. *Mabit, Beit Elokim*, chap. 15, maintains a similar view, and this appears to have been the view of the *Hazon Ish* according to certain oral traditions; see *Tivkha Yabi'u*, vol. 2, 286. R. Reuven Margoliot, *Mekor Hessed* (Commentary to *Sefer Hassidim*, ad loc.), notes a possible source for this view in the Yerushalmi (*Berakhot* 4:3).

states, appropriately recited prayers are indeed answered – just not always for the person for whom the prayers were made. According to this approach, one’s orientation when praying for a terminally ill individual involves an awareness of the potential impact of the prayer and the possibility of the ill individual being cured, with the understanding that the prayers are never in vain, as they will stand for the supplicant and his descendents in the future.

All of these perspectives relate to a fundamental question about *bitahon* (trust in God), regarding which a major debate persists regarding what one must believe while undergoing difficult circumstances. *Hazon Ish* famously maintained that trust in God does not require one to believe that everything will turn out for the best or that a cure will come, but rather that God is always in control, no matter what happens.³³ Others, however, reject his view.³⁴ For them, trust in God does in fact demand the belief that everything will work out and all will be healed. These are two very divergent views with implications for one’s orientation during prayer.

Praying for a Miracle and Giving up Hope

In particularly unfortunate situations, terminally ill patients or their family members may be informed that from a medical perspective, there is nothing more that can be done for the patient. In such circumstances, there is little room for hope barring a miracle, and an important question that then

33 *Emunah U-Bitahon*, ch. 2. For a discussion of *Hazon Ish*’s view, in particular the possibility of alternate readings of his approach, see R. Daniel Stein, “The Limits of Religious Optimism: The Hazon Ish and the Alter of Novardok on Bittahon,” *Tradition* 42:1 (Summer 2010): 31-48, and the response to his article by R. Gidon Rothstein on the RCA’s blog Text and Tradition, available at <http://text.rcarabbis.org/what-makes-a-belief-%E2%80%98traditional%E2%80%99-the-case-of-bittahon-by-gidon-rothstein/>.

34 For sources in the *Rishonim* that appear to reject *Hazon Ish*’s view and a lengthy discussion of his opinion, see R. Moshe Tzuriel, *Otzrot Ha-Mussar*, vol. 1, 325-32.

emerges relates to the status of praying for a miracle from a halakhic perspective.

The *mishnah* states that praying for an event that has already occurred is a prayer in vain. Thus, for example, one who prays that his pregnant wife will give birth to a boy offers a worthless prayer, since the baby's gender is already determined.³⁵ The *gemara* questions the *mishnah's* critique of praying for a fetus' gender to switch based on a tradition that Leah prayed for her baby to become female and was answered affirmatively by God. The *gemara* responds that one should not bring a proof from a miracle.³⁶ The clear implication is that while miracles are possible, one should not pray for one to occur, and Leah's actions should not be used to support an opposing view.³⁷ The Talmud Yerushalmi explicitly cautions against praying for miracles as well.³⁸

The practical implications of this position are significant. It would seem that one who has essentially lost hope from a medical perspective would not be allowed to pray to be cured through a miracle, despite that being the only real chance at survival. There do, however, seem to be certain exceptions to this rule. Rema endorses the recitation of a text that explicitly asks God for miracles to be performed in our time just as they were performed during the time of Chanukah. While its recitation is limited to one who forgot to recite the prayer of *Al Ha-Nissim*, this prayer's very existence appears to reflect a permissive approach to praying for miracles.³⁹ Furthermore, there is no explicit ruling in *Shulhan Arukh* that prohibits one from

35 *Berakhot* 54a.

36 *Ibid.* 60a. The *gemara* offers an additional answer that Leah may have prayed for the gender switch within the first forty days of being pregnant, before the child's gender has been determined.

37 It is not entirely clear from the Talmud whether there is a prohibition to pray for a miracle, or simply that praying for a miracle will not be effective. See *Birkat Avraham*, *Berakhot* 54a.

38 Yerushalmi *Taanit* 3:2; see also *Sefer Hassidim* no. 794.

39 Rema, *Orah Hayim* 187:4 and 682:1.

praying for miracles.⁴⁰ As such, some ambiguity exists regarding the precise scope of the Talmud's ruling.⁴¹

Numerous possible exceptions to the Talmud's rule are suggested, but there appear to be three general approaches taken with regard to terminally ill patients.

One school of thought accepts the Talmud's prohibition to pray for miracles, with the implication that praying for recovery would not be appropriate.⁴² The Rema's ruling justifying such a prayer is either rejected, as was done by Maharam Mi-Rutenberg,⁴³ or is limited to circumstances irrelevant to the terminally ill patient. For example, *Bekhor Shor* suggests that Rema's ruling is limited to miracles affecting a community; one is prohibited, however, to pray for a miracle to occur to a specific individual – including one who is terminally ill.⁴⁴ In

40 This is noted by *Bekhor Shor* (*Shabbat* 21b). However, this claim does not appear to be entirely accurate. *Shulhan Arukh, Orach Hayim* 230:1, cites the Talmud's statement in *Berakhot* that one should not pray for events that have already occurred or been determined, such as not praying that one's pregnant wife give birth to a child of a specific gender.

41 Some assume that the Talmud's rule does not apply to exceptionally pious people; see *Bekhor Shor*, *ibid.*, and *Gevurat Ari, Ta'anit* 19a. *Shome'ah Tefillah*, vol 2, 291, notes that this is also the position of *Or Ha-Hayim* in *Hafetz Hashem, Berakhot* 60a and that *Hatam Sofer, Ketuvot* 106a, argues. *Einayim Le-Mishpat, Berakhot* 60a, mentions several different explanations for Rema's ruling, many of which are mentioned below. One omitted from the body of the article distinguishes between Israel and outside Israel; one can only pray for miracles in Israel, since it always functions above the realm of nature. See *Shome'ah Tefillah*, *ibid.*, for additional discussions.

42 Some suggestions regarding the underlying logic for this approach will be noted below. For an additional perspective, see Dr. Moshe Halbertal, "The Limits of Prayer," *Jewish Review of Books*, available online at <http://www.jewishreviewofbooks.com/publications/detail/the-limits-of-prayer>, and the discussion in *Shome'ah Tefillah*, vol. 2, ch. 35.

43 Cited in Avudraham, *Chanukah*. Avudraham notes others who reject Maharam's view.

44 *Bekhor Shor, Shabbat* 21b, cited in *Sha'arei Teshuvah* 187:3. *Einayim Le-Mishpat, Berakhot* 60a, explains that the text of Rema's prayer refers to miracles that will occur in the future that the Jewish People are assured will come to fruition. An individual, however – including a terminally ill patient – should not pray for a miracle. As noted above (n.37), praying for a miracle

slightly different ways, this view has been attributed to *Minhat Hinukh*,⁴⁵ as well as more contemporary authorities R. Yosef Shalom Elyashiv⁴⁶ and R. Yechezkel Levenstein.⁴⁷

A second, more nuanced approach accepts the Talmud's position against praying for miracles, but limits its scope in a way that may allow certain types of prayers. *Yeshuot Yaakov* explains that the Talmud cautions against praying for a miracle because the acceptance of such a prayer would come at the expense of the supplicant's own merits. However, he permits one to pray for a public miracle that will sanctify God's name, as the reward for the sanctification of God's name will compensate for the merits lost through the performance of the miracle.⁴⁸ According to this approach, one would be allowed to pray for a terminally ill patient to be cured only if the cure would create a sanctification of God's name, thereby justifying the usage of the supplicant's merits.

The opposite approach is suggested by *Bekhor Shor*. In a different attempt to explain Rema's ruling, he distinguishes between miracles that work through nature, which can be prayed for, and miracles that transcend nature, for which one should not pray.⁴⁹ If so, a terminally ill patient is allowed to pray for a

may not be a prohibited, but simply ineffective.

45 Oral tradition cited in R. Ben Zion Rabinowicz, (translated by Daniel Worenklein and Reuven Mathieson), *Mevaser Tov, Techias Ha-Meisim*, 5.

46 An oral report is quoted in the article by Dr. Moshe Halbertal, *supra* n.42.

47 Cited by R. Herschel Schachter, available at http://www.torahweb.org/torah/1999/parsha/rsch_korach.html.

48 *Yeshuot Yaakov, Orach Hayim* 682. A similar approach is suggested by *Einayim Le-Mishpat, Berachot* 60a, as one of his explanations of Rema's ruling.

49 *Bekhor Shor, Shabbat* 21b. Interestingly, *Bekhor Shor* justifies Rema's prayer for a miracle similar to the Chanukah miracle by viewing it as a miracle within nature, whereas *Yeshuot Yaakov* views it as a public miracle that transcends nature. It is possible to argue that each of the Chanukah miracles – the military victory and the oil lasting for eight days – represents a different type of miracle.

Bekhor Shor's position relates to a larger discussion about the relationship between revealed and hidden miracles. See, for example, David Berger,

miracle that can be justified as having occurred through nature. For example, he might pray that a cure be discovered for his illness. Although such a discovery might constitute a miracle, it would seemingly be viewed as having occurred within nature.

The third approach is much more permissive and essentially rejects any practical relevance of the Talmud's position against praying for miracles for a terminally ill individual. *Einayim Le-Mishpat* cites the Talmud's statement that one should pray for mercy even if a sharp knife rests on his neck,⁵⁰ as well as a number of other Talmudic sources, as indicating that one may pray for a miracle in a life threatening situation.⁵¹ According to this perspective, one may pray for a terminally ill patient without any limitations, as the Talmud's rule does not apply to such individuals. Others permit one to pray in times of crisis, although only under certain guidelines.⁵²

Additional support for a perspective that limits the impact of the Talmud's statement can be gleaned from the *Midrash Tanhuma*, which appears to argue with the Talmud and allow prayer for a miracle,⁵³ and Rabbeinu Bechaye, who writes that prayer has the ability to change nature.⁵⁴ A particularly strong argument in favor of this approach is made by R. Ben Zion Rabinowicz of Biala (author of *Mevaser Tov*), who published an entire book dedicated to proving that one should never give up hope in cases of sick and terminally ill patients. He writes: "Just

"Miracles and the Natural Order in Nahmanides," in Isadore Twersky (ed.), *Rabbi Moses Nahmanides (Ramban): Explorations in His Religious and Literary Virtuosity* (Cambridge, MA, 1983), 107-28.

50 *Berakhot* 10a.

51 *Einayim Le-Mishpat*, *Berakhot* 10a, 60a.

52 *Shome'ah Tefillah*, vol. 2, 307, notes *Darkhei Hayim Ve-Shalom's* citation of the Sanzer Rebbe that a terminally ill patient should pray only in thought and not out loud. See there for additional sources.

53 *Midrash Tanhuma*, *Vayetzei* 8. Some attempt to reconcile the *midrash* with the *Talmud*; see *Melekheth Shlomo*, *Berakhot* 9:3, and *Birkat Avraham* (*ibid*).

54 *Kad Ha-Kemah* on *tefillah* and commentary to *Devarim*, 11:13. *Birkat Avraham* (*ibid.*) cites this comment and discusses its relationship with the Talmud's statement.

as it is certain that the dead will be revived, it is equally certain that the sick can be healed. We must not despair; there is every reason to pray and hope for their recovery.”⁵⁵

Praying for Someone to Pass Away⁵⁶

In certain circumstances, an illness can be extraordinarily painful for the sick individual. In extreme cases, when the patient experiences the pain as unbearable, Ran allows one to pray for such a person to pass away.⁵⁷ However, the *Poskim* debate whether Ran’s opinion is normative. While many authorities accept Ran’s opinion, including *Arukh Ha-Shulhan*,⁵⁸ *Tiferet Yisrael*,⁵⁹ and a host of more contemporary authorities,⁶⁰

55 *Mevaser Tov, Techias HaMeisim*, 22. This discourse was originally published in Hebrew, but has been translated into English by Daniel Worenklein and Reuven Mathieson as “Mevaser Tov, Techias HaMeisim.” Citations to the work in this article are from the English translation.

56 This author benefited from the extensive discussion in *Shome’ah Tefillah*, vol. 2, 244-7, where the author cites an impressive collection of *Aharonim* who discuss Ran’s position and other relevant sources, as well an online post by R. Ezra Schwartz and the ensuing discussion between R. Schwartz and Prof. Lawrence Kaplan. See <http://text.rcarabbis.org/praying-for-one-to-die-philosophical-considerations/>.

57 Ran, *Nedarim* 40a. His opinion is based on *Ketuvot* 104a. For a discussion of the implications of the Talmud’s statement there, see the discussion in *Tzitz Eliezer* vol. 5, Ramat Rahel 5; and *Shome’ah Tefilla*, vol. 2, 246.

58 *Arukh Ha-Shulhan, Yoreh De’ah* 335:3

59 *Tiferet Yisrael, Yoma* 8:7.

60 R. Yitzchak Yosef, *Yalkut Yosef, Yoreh De’ah* 335 (in the most recent edition of *Yalkut Yosef* on *Hilkhos Bikur Holim* and *Aveilut*, 63-66), writes that his father, R. Ovadiah Yosef, accepts Ran’s position and has implemented it in actual situations, though he cautions against doing so without consultation with a *Hakham*. R. Shlomo Zalman Auerbach, *Minhat Shlomo* 1:91:24, also accepts this view. R. Ezra Schwartz has noted that this is also the opinion of R. Chaim Kanievsky, as cited in *Siah Tefilla*, 719. Other *Poskim* also accept Ran’s view, at least in modified versions. See the views of R. Nahman of Breslov, cited in *Sefer Ha-Middot, Tzadik*, no. 116; and R. Sholom Messas, *Teshuvot Shemesh U-Magen*, vol. 3 (brought to my attention by R. Dr. David Shabtai); See *Shome’ah Tefillah* vol. 2, 246, for additional sources.

For a discussion of the position of *Hikikei Lev* vol. 1, *Yoreh De’ah* 6, see

others do not accept Ran's ruling. R. Eliezer Waldenberg notes that Ran's position is not cited in the *Tur*, *Shulhan Arukh*, or any of their commentaries, clearly implying that it is not accepted as normative. Additionally, other *Rishonim* do not interpret the Talmud in *Nedarim* upon which Ran comments in the same manner that he does, with Maharsha even questioning Ran explicitly.⁶¹ As such, R. Waldenberg maintains that one is not permitted to rely on Ran and pray for a sick person to pass away, even if the patient is experiencing significant pain.⁶² Other *Poskim*, such as R. Moshe Feinstein⁶³ and R. Shmuel Wosner,⁶⁴ fundamentally accept Ran's position, but argue against practically relying upon it nowadays for various reasons. According to several *Poskim*, most prominently R. Moshe Sternbuch, the question of whether one should endorse Ran's position is essentially a question about the value of life, in particular with regard to seriously ill patients. R. Sternbuch is uncomfortable supporting Ran's position in instances when the patient is capable of clear thought and performance of *mitzvot*.⁶⁵

The precise rationale behind Ran's position, as well as that of his detractors, is not entirely clear and has evoked some debate.⁶⁶ Part of the rationale for these views may relate

Tzitz Eliezer vol. 5, Ramat Rahel 5. There is also debate regarding whether the *She'iltot*, no. 93, accepts Ran's position; see *She'eilat Shalom* and *Ha'amek She'eilah* ad loc., as well as *Tzitz Eliezer*, *ibid.*, and *Havatzelet Ha-Sharon, Bereishit*, 190.

It is important to note that even amongst those who accept Ran's view, there is some disagreement regarding the text of such prayer and the extent to which one is supposed to directly pray for the patient to die.

61 Maharsha, *Nedarim* 40a.

62 *Tzitz Eliezer* vol. 5, Ramat Rahel 5. See *Shome'ah Tefillah*, *ibid.*, who cites other *Poskim* who concur with this view.

63 *Iggerot Moshe, Hoshen Mishpat* 2:74:1.

64 *Siah Halakhah*, 772.

65 *Teshuvot Ve-Hanhagot* 2:82. His position is reflected in statements of *Hazal* that emphasize the value of living for even a brief period of time.

66 See the aforementioned post by R. Ezra Schwartz with Prof. Kaplan's comments, *supra* n. 56, as well as *Havatzelet Ha-Sharon, Bereishit*, 190.

to end-of-life care in general and what is considered inappropriate hastening of death, as opposed to passive attempts at ensuring comfort. It also may relate to the above mentioned debate about *bitahon* and the appropriateness of giving up hope in dire circumstances. To the extent that one believes that all things will turn out for the best, rejecting Ran's position becomes all the more likely. This issue also touches upon a philosophical question about the purpose of *yissurin* and how to relate to hardships that impinge on one's ability to fulfill the Torah's commandments.

Conclusion

The purpose of this article was to highlight a variety of issues relating to prayer and the terminally ill, including the possible obligation to pray for such individuals and the proper orientation during prayer for terminally ill patients. The article also addressed the permissibility of asking for miracles and of praying for the passing of individuals in certain dire and extreme circumstances.

Terminally ill patients and their families undoubtedly experience exceptionally challenging times. It is often the belief in the efficacy of prayer and the community's support that offer encouragement to the patient and his or her family. May those who are ill gain strength and support from the prayers and kind gestures of those around them, and may God, the ultimate healer of the sick, bestow His kindness upon all those suffering and bless them with a full and complete recovery.