

Digitales Brandenburg

hosted by Universitätsbibliothek Potsdam

The environment in Jewish law

Jacob, Walter

New York [u.a.], 2003

Asbestos Versus Refugees

urn:nbn:de:kobv:517-vlib-9870

ASBESTOS VERSUS REFUGEES

Walter Jacob

QUESTION: The congregation has found some asbestos in its religious school and discovered that it can be contained at a modest cost, but some parents have demanded its removal, which would cost several hundred thousand dollars. At the same time, other members of the congregation have petitioned vigorously to use these funds for the rescue and resettlement of Soviet Jews. What would tradition see as more important – the health of our children or the rescue of the Russian Jewish immigrants? (Nora A. Ellenson, Philadelphia, PA)

ANSWER: Let us begin by looking at the *mitzvah* of *pidyon shivuyin* (the redemption of captives). Tradition has considered this a major *mitzvah* (B.B. 8a), and Maimonides, for example, cited a long series of Biblical verses to prove how significant the *mitzvah* was (*Yad, Hil. Matnot Aniyim* 8:10; *Shulhan Arukh, Yoreh Deah* 352). In the talmudic citation the rabbi permitted funds to be removed from a designated charity to this purpose, as it was so important. Even if the funds had been specified only for the rebuilding of the Temple, they could be diverted for the sake of redeeming captives. The literature, then, unfortunately, felt it necessary to deal with the order of priority among the captives. Obviously there often were insufficient funds to rescue everyone. The primary importance of this task has been very clearly established by tradition.

Now let us look at the matter of health. It is a duty for all Jews to look after their health and for that matter the health of

their fellow human beings (Deut. 4:9, 15; 22:8; B.K. 91b; *Yad, Hil. Rotzeah* 11:4ff; *Shulhan Arukh, Hoshen Mishpat* 427; *Yoreh Deah* 116:5 and Isserles). This means that no product that can cause harm should be used in any way. These citations would certainly apply to the danger of asbestos and, of course, we need to protect both children and adults from problems that may be caused by it. In this instance, however, two solutions are available. Both will assure the safety of the children; one is much more expensive than the other. It would, therefore, be preferable to encapsulate the asbestos and have it checked from time to time rather than spend a very large sum of money on its total removal especially as those funds can be used to rescue Jews from Russia. This must be done first and the smaller sum of money utilized for the safety of the children.