Pikuah Nefesh and the Economic Crisis

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Question: A person is an essential member of a United States governmental committee to resolve the current economic crisis.Of concern, Is whether the crisis is deemed a form of Pikuach Nefesh(a danger to life) This classification grants one permission to violate the Shabbat in order to extricate oneself (or a group of people)from this dangerous status.
Response:The following actual case took place.
In a dialogue between Rabbi Asher Lopatin and the Religion News Service pertaining to the religious sensitivity of Rahm Emanuel, President -elect Barack Obama's White House Chief of Staff', the following was reported. The Rabbi recalled that Rahm Emanuel informed him that he was requested to be part of a very important conference call on Rosh HaShana dealing with the financial bailout bill.Mr. Emanuel was concerned whether being part of such a conference call was a violation of Rosh HaShana."He wanted to know what I thought. I asked him,is the crisis as serious as they portray it.And he said , that according to the information that he had there was a potential for financial meltdown.I said that under those circumstances we have a law of "pikuach nefesh" , of saving lives and almost any ritual law may be pushed off for the sake of saving a life.I wouldn't say this with every piece of legislation, but if this bailout did not happen, it could lead to a question of life and death for certain people,"
The above was e-mailed to me with the following halachic question:- "Can a financial emergency rise to the level of Pekuach Nefesh to be docheh (overrule/annul)Shabbat?"
Though the Rabbi did not provide any rabbinic source for his decision, it may be shown that his position has merit and is supported by Chazal.
The Talmud states(Yoma 82a) R. Eliezer says (in reference to the verse: and you

shall love Hashem your God with all your soul and with all your resources[D'varim 6:5] if it is stated with all your soul why was it necessary to state with all your resources?-and if it is stated with all your resources, why was it necessary to state with all your soul?Rather the explanation is that if you have a person whose body is more precious to him than his money,for this reason it is stated with all your soul,so that he be prepared to give up that which is most precious to him.And if you have a person whose money is more precious to him than his body,for this reason it is stated with all your resources, so that he be prepared to give up that which is precious to him.(Artscroll translation)

HaRav Moshe ibn Chaviv, in his classic commentary on Mesechet Yoma, titled "Tosafot Yom HaKippurim" posed the following question. It is a well known fact that the overwhelming number of people would deem life more important than monetary resources. Very few , if any, would consider monetary resources more precious than life. Accordingly, the behavior of such a minute minority should not be of concern to the Torah. Would not the rare person who values money more than life be so insignificant and abnormal that no one would even reckon with this person at all? HaRav Chaviv's response is that the Torah is not dealing with the view of a minute minority. It, rather, relates to different stages of life. A young, healthy person generally would value life more precious than resources. As long as a person was alive and well he could once again through effort regain the resources he lost. An older person, especially one who is ill,lacks the ability to in any way regain his financial assets. Such a person would value his funds more than his life; for any loss of his resources would signify his inability to sustain his life. The Torah, therefore, relates to two distinctly different classes of people; those who have the ability to recoup resources and those without such ability. Accordingly, an economic meltdown to the infirm and elderly may truly generate a realistic Pikuach Nefesh.

In a discussion of the decision of the Rabbinate in Israel to sell the land to a gentile prior to Shmitta so that its produce may be marketed, HaRav Herzog, former Chief Rabbi of Israel contended that in contemporary times the nature of the prohibition was merely rabbinic, not biblical.In addition, he noted that the issue may be a form of "pikuach nefesh" [karov l'pikuach nefesh] to sustain the Jewish population in Israel.("Kuntras:Al D'var HaShmitta", p.51-52, by HaRav Issac HaLevi Herzog,in a memorial volume dedicated to HaRav Dr.Shaol Weingart titled Yad Shaol)

Thus a communal economic crises may be classified as a case of pikuach nefesh. The prophet rebukes King David for his behavior with Batsheva.He tells a tale of a wealthy man with countless flocks of sheep who steals and slaughters the one calf and beloved pet of his neighbor rather than use any of his own flocks.The

king was horrified by the immoral act and cries out "Ben Mavet ha'eesh haoseh zot"[the person who did this deserves to be killed](2 Shmuel 12:5) Of concern is why such a theft deserves the penalty of death. It was merely a monetary sin. Rashi says that stealing from a poor person is comparable to killing him. The meaning must be that if you take away the last resource of a person it is deemed as if one killed him.

The above sources appear to sustain the view that an economic meltdown crises is a form of pikuach nefesh.Accordingly, coupled to this would be the general approach to manifest a kilacher yad activity.Namely, any Shabbat violation is to be performed in an irregular manner.

It is vital to note that though a total loss of resources is a form of pikuach nefesh there are major Halachic distinctions between cases of life threatening circumstances and cases of loss of resources.

1. In life threatening situations, one may violate Shabbat observances even if the pikuach nefesh is not certain but merely a doubt. (Yoma 84b)There is no such leniency recorded in matters of a loss of resources. Also, there must be a total loss of resources, not a partial loss.
2. In life threatening situations even biblical restrictions of Shabbat may be violated to save lives.(ibid.,)In a loss of resources there is no source sustaining violation of biblical rules.(Note Harav Herzog utilizes the concern for pikuach nefesh of the Jewish community only after he rules that Shmitta is only a rabbinic observance in modern times.)
3. In life threatening situations, an individual may violate Shabbat to save one Jew's life.In a total loss of resources the status of pikuach nefesh,perhaps, is only utilized to prevent an economic meltdown that impacts a large number of Jewish households. Accordingly, no individual Jew may violate Shabbat to prevent personal loss of resources.As such, the pikuach nefesh of a loss of resources is a means of sustaining the viability of the Jewish community.It, therefore is an Halachic decision that may require a rabbinic P'sak and may not be unilaterally assumed
4. Custom has it that the non Jewish poor were required to be sustained by the Jewish community.(Gittin 61a) This appears to suggest that a Jewish governmental leader may be mandated to act in behalf of a gentile community to prevent an economic meltdown just as he would to prevent such a drastic crises to Jews.

(Logic would indicate that action on Shabbat would include all of the above factors.)