

Amputation has been a topic of discussion in society for a long time, reaching as far back as to biblical times. The discussions and ramifications of amputations come up throughout the Bible and Talmud, discussing the statuses and halachic consequences. With the increase in technological advancements, there are many modern halachic questions that continue to arise regarding prosthetics. These include prosthetic devices that conserve body energy, since they are built with battery powered electric motors, taking less effort to work [1]. These newer advancements add to the halachic questions of prosthetics. There are several opinions of the status of prosthetics, with no clear halachic answer. Before looking into the modern day halachic issues, it is important to see how amputees and prosthetics were seen in biblical times.

There are several references to amputees throughout Tanach, however, many of the amputations were due to punishments. Some examples include: women having their hands cut off after mutilating their husbands' attacker, King David commanding the amputation of the men who killed Ish-Boshet - even though posthumously, the amputations were done as punishment, - and the big toes of a Canaanite king cut off after defeat in battle by the tribes of Shimon and Reuven (Devarim 25:12; Shmuel II 4:12; Shoftim 1:6) [2]. While the meaning of "an eye for an eye" is modified between pshat and drash, on a pshat level, clearly an amputation was a punishment (Vayikra 24:20). It is discussed in Mishnah Kreitut 3:8 that patients suffering from tzaraas in biblical times would undergo amputation if their limbs were too badly

affected [3]. The Torah even had terms for those who were considered to be amputees. In the Torah, a pise'ach is mentioned, which was defined in general, while there are varying nuances between opinions, as someone who "cannot walk at all except with the help of prostheses [4]." The mentioning of amputees in Tanach set the precedent of the discussion of prosthetics in Judaism in the Talmud.

As opposed to Tanach only mentioning cases of amputation, the Talmud discussed the halachic ramifications of prosthetics. An obvious question occurs in regard to Shabbos and what would be allowed with a prosthetic. A Mishnah in Shabbos 65b stated, according to Rebbe Meir, "one with an amputated leg may go out with his wooden foot" on Shabbos, since the prosthesis is considered to be like a shoe [5]. However, Rebbe Yosei argued against this in Shabbos 66a and said it was not considered a shoe since it is susceptible to tumah [6]. The discussion of when an object can be susceptible to tumah does not fall within the scope of this paper. He further stated in Yoma 78b that there was a fear that the prosthesis would fall off and be carried in the public domain on Shabbos - both points leading to his view of prosthetics not being permitted on Shabbos [7]. Rebbe Meir did not agree with the aspect of "fear" noted by Rebbe Yosei [7]. An interesting insight can also be gained from this Mishnah, not only regarding the halachic consequences, but also what prosthetics in the Talmudic era looked like. The prosthesis was described as "a log of wood, hollowed to receive the stump, which had a receptacle for pads upon which the stump rested" [8].

Rashi described the supports that someone with amputated feet used as shoes, as extending from his knees down the shins allowing the amputee to walk on his knees (Shabbos 66a) [9]. Interestingly, in Yevamot 102b Rashi stated that the purpose of the wooden foot was not to hold the individual's weight but to hide the fact that they are maimed [10]. The intention behind the prosthetic may have larger ramifications on its halachic status. Even in the Talmudic era, prosthetic limbs were utilized and part of greater discussions regarding their halachic status, creating the basis for our modern day halachic questions.

The discussion of prosthetic limbs continues into modern times, with new questions arising as technology advances. Prosthetics are compared and contrasted against internally implanted devices, shedding more light - and developing more questions - on the status of prosthetics. Opinions regarding the status of prosthetics stem from either viewing the prostheses either as external to the person or as though it is a part of the person. According to R' Elyashiv, internally implanted devices "become completely annulled to the body", making it so they have the same status as all other natural organs. These implanted devices that act as organs would then be able to be 'carried' on Shabbos and have the same ramifications as neutral body parts for tumah and taharah. Since a prosthetic arm "merely simulates the arm but does not fully mirror the natural functioning of the arm" they do not have the same status as internal implants. However, some disagree and state they do have the status of being like the natural organs, creating a large divide in how prosthetic

devices are seen and their halachic statuses [11]. This debate further extends into several aspects of Judaism.

There is an ongoing machlokes about whether or not tefillin should be placed on a prosthetic arm. According to some rabbinic authorities, the criteria for donning tefillin depend on blood flow in the arm (which a prosthesis does not have), while for some it is about functionality and the connection with the brain (which a prosthesis does have). The issue continues in regard to kohanim and whether they can participate in birchas kohanim and do nesias kapayim. In both cases it depends how prostheses are viewed in relation to being a natural body part. The prosthesis will draw people to look at it and therefore gaze at the kohanim out of curiosity which was forbidden during the blessings. The same issue arises for the mitzvah of taking the lulav. A distinction was made between a body powered prosthetic (using one's own body movement to move the prosthesis) and a microprocessor prosthetic (using a battery to enhance the movement of the prosthetic) - since the electric arm, being moved by the battery, is the one doing the "taking" not the person, it would not be allowed to be used in the mitzvah [11].

For all of these questions it comes down to how one paskins and whether a prosthetic device is considered to be a part of the body or not. With even more developments in technological advancements, these questions will continue to be relevant and be further discussed in the future.

## Acknowledgments

I would like to express my gratitude to Hashem for being a constant source of strength and faith. I would like to thank my parents for always supporting and believing in me in all my endeavors, and encouraging me throughout. I would also like to thank Rabbi Jeffery Schrager for taking the time to review my work and give his valuable insight. I am deeply appreciative of Dr. Babich for giving me the opportunity to write this article.

---

## References

- [1] Conditions and Treatments.  
<https://www.lni.wa.gov/patient-care/treating-patients/conditions-and-treatments/myoelectric-upper-limb-prosthetic-devices#:~:text=Description,muscles%20of%20the%20remaining%20limb.> (Retrieved January 5, 2024).
- [2] Brown, Jeremy. Shabbat 65b - Prosthetic Limbs. Talmudology. 2020
- [3] Dvorjetski, Estee. 2020, Historical Medicine: Biblical and Talmudic Surgery and Surgical Practice. Journal of Surgery and Surgical Research, 2:10.
- [4] Steinberg, Avraham. 2003, Encyclopedia of Medical Ethics. Vol. 2. Feldheim Publishers, New York, NY
- [5] Mishnah Shabbos 65b
- [6] Mishnah Shabbos 66a
- [7] Yoma 78b
- [8] Fligel, O., and Fueur, S.G. 1995, Historical Development of Lower-Extremity

Prostheses. Orthopedic & Prosthetic Appliance Journal, 20: 315.

[9] Rashi Mishnah Shabbos 66a

[10] Rashi Yevamot 102b

[11] Ryzman, Zvi. 2021, Exploring Modern Halachic Dilemmas, vol. 2, Artscroll Mesorah Publications, Rahway, NJ. pp. 97-98; 104-110; 115-12