

This month's Daf Digest is dedicated  
 לעילוי נשמת צבי בן יחזקאל יוסף גרין, מחסידי דעעש  
 From the Grin family, Sao Paulo, Brazil

## OVERVIEW of the Daf

### 1) Death by the hands of Heaven (cont.)

The source that an onein who serves in the Beis Hamikdash is not subject to death by the hands of Heaven is presented.

This exposition is unsuccessfully challenged.

The source that a kohen who served while sitting is not subject to death by the hands of Heaven is presented.

### 2) A blemished kohen

The source behind Rebbi's position that a blemished kohen is not liable to death by the hands of Heaven is presented.

This exposition is successfully challenged and an alternative source for Rebbi's position offered.

The reason Rabanan disagree is explained.

### 3) Me'ilah

The source behind Rebbi's position that one who commits me'ilah is liable to death by the hands of Heaven is presented.

The response of Rabanan to this is recorded.

### 4) A non-kohen who serves

A Baraisa presents a dispute among R' Yishmael, R' Akiva and R' Yochanan ben Berokah whether a non-kohen who serves in the Beis Hamikdash receives death by the hands of Heaven, stoning or strangulation.

The point of dispute between R' Akiva and R' Yishmael is explained.

The point of dispute between R' Akiva and R' Yochanan ben Berokah is explained.

הדרן עלך אלו הן הנשרפין

5) **MISHNAH:** The Mishnah enumerates the transgressions that incur the punishment of strangulation.

### 6) Striking a parent

The source that one who strikes a parent is punished with

(Continued on page 2)

## REVIEW and Remember

1. What is the source that prohibits a kohen from serving while sitting?  
 \_\_\_\_\_

2. What is the point of dispute among R' Yishmael, R' Akiva and R' Yochanan ben Berokah?  
 \_\_\_\_\_

3. To which method of execution does the Torah refer when it uses the term מיתה?  
 \_\_\_\_\_

4. Is it permitted for a child to let his parent's blood?  
 \_\_\_\_\_

## Distinctive INSIGHT

Can a son treat his father medically?

בן מהו שיקיז דם לאביו

Anyone who injures a fellow Jew is in violation of the Torah's prohibition (Devarim 25:3) of "לא תוסיף." There is also a special prohibition for a son (or daughter) to injure his father. Our Gemara only inquires whether it is permitted for a son to perform a medical procedure for his father, and the Gemara concludes that causing an injury to one's father for medical purposes is permitted. It is noteworthy that the Gemara does not address its question in regard to causing injuries in the context of medical treatments for a fellow Jew. This leads HaRav Moshe Feinstein in his Igros Moshe (C.M.2, #66) to identify this as a source for Rambam (Chovel u'Mazik 5:1) who says that the essence of the prohibition of injuring one's fellow Jew is only in the context of confrontation (דרך ניציון), but where it is done for the benefit of one's fellow man, it is not prohibited.

In its proof to show that a son may perform medical procedures for a father, the Gemara brings two distinct statements. Rav Masna says, "ואהבת לרעך כמוך—You should love your fellow as yourself." Rav Dimi b. Chinina brings an association (Vayikra 24:21) between striking an animal and striking a person. Rav Yochanan explains that this association teaches us that just as injuring an animal is permitted in order to heal the animal, striking a parent for medical purposes is permitted.

Minchas Yitzchok (1, #27) explains that there is a practical difference between the two proofs which the Gemara brings. According to Rav Masna, treating a father is not merely allowed, but it is the fulfillment of the mitzvah of "loving one's fellow Jew." According to Rav Dimi, however, a son treating his father is permitted, and perhaps an elective action on his part, but it is not a special mitzvah.

Igros Moshe (ibid.) explains a novel approach to understand the difference between the two answers in the Gemara. Can a child treat a father medically where the father does not want the treatment to be performed, although it would be in the best interests of the father? According to Rav Masna, it is only permitted when it is done in the context of "ואהבת לרעך כמוך." Therefore, if the father is opposed to the treatment, it would not be a fulfillment of this mitzvah, and it would not be allowed. According to Rav Dimi, any medical procedure is excluded from this prohibition, whether the father agrees or not.

On the other hand, Rav Moshe notes, it may be permitted for a son to treat a father even if the father does not agree, even according to Rav Masna. Perhaps we evaluate a medical procedure according to objective standards, and if most people recognize that this procedure is beneficial, it would be permitted. Perhaps we do not rely upon the father himself as to whether this is a healthy decision. ■

# HALACHAH Highlight

## Administering medical treatment to a parent

בן מהו שיקיז דם לאביו

May a child let the blood of his father?

**R**ema<sup>1</sup> rules that a child may not administer medical treatment to a parent if another medical professional is available. When another medical professional is not available a child may treat his parent. The critical question is what is considered available. For example, if a parent is in need of an injection and his child is with him, do we say that since at that moment no one else is available the child may administer that injection or since one could call a friend who is a medical professional to come it is considered as though the someone else is available and the injection should not be administered by the child?

Minchas Yitzchok<sup>2</sup> suggested that our Gemara is instructive in answering this question. The Gemara relates that many Amoraim did not allow their children to administer medical treatment to them. The cases discussed, however, involved simple medical treatments like pulling out a splinter or puncturing a blister. Since these treatments do not require any expertise, the Amoraim preferred to find someone other than their children to administer these treatments. If the procedure is more involved and requires training and expertise and no one other than the child is immediately available it is considered as if no one else is available and the child may administer the treatment to his parent. Furthermore, if a parent is weak and the only alternative to the child's administering medical treatment is to admit the parent into a hospital it is permitted for the child to administer the treatment since it is considered as though no one else is available.

Another issue is what to do when the medical professional charges money to administer treatment but the child does not. Geshet Hachaim<sup>3</sup> writes that this is considered as though no one

strangulation is presented.

This source is successfully challenged and an alternative source for this principle is cited.

The necessity for two pesukim that teach that one who murders is executed is explained.

The source that one is liable only when inflicting a wound on the parent is presented.

This source is successfully challenged and an alternative source is cited.

The purpose of the now extra hekesh is explained.

### 7) Letting a parent's blood

The previous discussion raises the question of whether it is permissible for a child to let his parent's blood.

Rav and R' Dimi bar Chinana suggest different reasons it is permitted.

The practice of some Amoraim who refused to allow their sons to treat them is presented and explained.

The Gemara unsuccessfully challenges the premise that one should not perform an act if there is a risk of inadvertently transgressing a capital sin. ■

(Overview...continued from page 1)

else is available since the child will do it for free and he is not obligated to spend money to honor his parents. Teshuvot Shevet Halevi<sup>4</sup> questions the application of the halacha that a child is not obligated to spend money to honor his parent. Administering medical treatment is not a matter of honor; it is an issue of the possible transgression of the prohibition against striking a parent. As such, one must spend all the money he has to avoid violating a prohibition. ■

1. רמ"א יו"ד סי' רמ"א טע"ג.
2. שו"ת מנחת יצחק ח"א סי' כ"ז אות ו'.
3. גשר החיים ח"ב פ"א סי' א'.
4. שו"ת שבט הלוי ח"י סי' קנ"ט. ■

# STORIES Off the Daf

## A difficult Psak

"המכה אביו ואמו..."

**O**n today's daf we see the importance of revering parents.

Around the time of the establishment of the State of Israel, a boy of about fourteen lived on a moshav. When he realized that the kashrus and Shabbos observance were very weak, the boy decided to leave home. He ultimately made his way to Yeshivas Chevron in Jerusalem.

One day, he received a letter from home. While plowing, his father had broken his back and was bedridden, and he wanted

him to return home to care for him. The young men who had been involved with this boy wondered what was to be done. When Rav Yechezkel Levenstein, zt"l, heard their question, he said, "Ask the Chazon Ish!"

Rav Moshe Shtigal recalled, "I took the young boy with me and we traveled to Bnei Brak. I left the boy learning in the beis medrash in the home of the Chazon Ish, and I went alone into the room to speak to the gaon. I explained the whole story, and he said, 'You didn't have anyone in Jerusalem to ask—you had to come to me?' I answered that I had already been to Rav Chatzkel, zt"l, and he sent me here. And then I could see the gravity of his expression.

"The Chazon Ish said: 'This means that the son should abandon his sick father and

not go, and that I should be the one to tell him so! How can I say such a thing?' And his psak was that the boy should go home instead to care for his ailing father. I had the nerve to ask, 'But they don't eat kosher food there, and the Shabbos observance is not the best...?' And he answered, 'He should try his best to eat kosher.' Then he asked, 'Is the boy here?' I answered that he was. The boy was brought in, and the Chazon Ish said to him in Hebrew: 'Go home, and try to live a city life there, not the life of the moshav which is called death!'

"He couldn't tell the boy not to go home, but he told the boy to do his utmost to solve the halachic problems he would face there."<sup>1</sup> ■

1. אנה עבדא ■