

OVERVIEW of the Daf

1) Snake bites (cont.)

The Gemara concludes its discussion of treating snake bites.

Other issues related to snakes are presented.

2) Foods and beverages used to promote healing

The Gemara clarifies what the Mishnah intended to include by using the term "Any food" and "Any beverage."

Rava demonstrated to Ravina that it is prohibited to drink urine for therapeutic reasons.

3) מי דקלים

A Baraisa makes reference to another substance called מי דקלים. The Gemara identifies both and explains their therapeutic value.

4) Potion of sterility

The Gemara explains how this potion is prepared if used to treat a zavah and an alternate method of preparation if used to treat jaundice.

Alternative remedies for a zavah and one who suffers from jaundice are spelled out.

The Gemara questions the use of a potion of sterility due to the prohibition against sterilizing a person. ■

REVIEW and Remember

1. What type of "snake bite" cannot be healed?
2. Why is it prohibited to drink urine for medicinal purposes on Shabbos?
3. How did R' Kahana cure R' Acha bar Yosef of jaundice?
4. Is it permitted for a person to make himself sterile?

Gemara GEM

The Multi-faceted Medical Knowledge of our Sages

לירקונא – תרין בשיכרא ומיעקר... ואי לא...

The Gemara presents ten remedies to heal jaundice (ירקון). Nevertheless, there is yet another remedy for this illness which is found in the Gemara in Bechoros (7b) which our Gemara does not list. If our Gemara is comprehensive in its listing of ten cures for this condition, why would it leave out the therapy listed in Bechoros?

In his sefer סופר חיים זרע, Rabbi Yaakov Chaim Sofer, shlit"a, offers several solutions to explain why our Gemara leaves out this eleventh method. One answer may be that each of the ten remedies in our Gemara are made from substances which are from kosher animals or plants. Even the two that require taking the head of a pig or the blood of a donkey do not require ingesting the non-kosher substance. However, the healing in Bechoros is accomplished with drinking the urine of a donkey. Although this is effective, our Gemara in Shabbos does not mention it, due to it being achieved by means of ingesting a non-kosher liquid (although whether such a substance is kosher is the very topic of the Gemara in Bechoros. See Shulchan Aruch Harav, Y. D. 81:1).

Another approach may simply be that each of the ten methods listed in our Gemara cure the jaundice condition completely. However, the drinking of the donkey urine discussed in the Gemara in Bechoros is not a cure of the malady, but rather a way to deal with the symptoms of the illness, without treating the root cause of the problem. In fact, the words of the Gemara are that drinking that potion is "מעלו – it helps" to deal with the jaundice, which seems to imply that it does not heal the condition totally.

Our Gemara includes two actual case histories of people who were stricken with jaundice and were healed using one of the prescribed methods. Rav Acha bar Yosef was treated by Rav Kahana using the cure of R' Yochanan, and there was a certain Arab who became ill, and he ate a row of leeks and was healed. Why does the Gemara tell these stories? It is not merely for interest, for the Gemara tells us only information that is essential. Rather, it is to illustrate how these particular remedies are complete therapies which cure the illness, and not just ways to treat symptoms. ■

HALACHAH Highlight

Causing pain to an animal if there is human benefit

דאמר רבי יוחנן: הרוצה שיסרס תרנגול - יטול כרבולתו, ומסתרס מאליו.

For Rebbi Yochanan said: he who wishes to castrate his rooster should remove its crest and it will be castrated on its own.

The Terumas Hadeshen¹ studies the permissibility of defeathering a bird while it is still alive, or removing the tail of a dog to improve its aesthetic presentation. Does this act fall within the purview of the prohibition of causing pain to an animal (צער בעלי חיים) or can it be permitted along the lines of the permissibility to shear sheep? He posits that there is no prohibition of causing pain to an animal if human benefit is derived². Since all animals were created only to serve man³, if human benefit will result then there is no interdiction of causing pain to animals. To support his position, he cites the acceptability of loading an animal with a very heavy load. Although the animal is burdened by the heavy load, it is yet permitted because human benefit results. Additionally, he references our passage to prove his point of view. If causing pain to animals when human benefit results would be forbidden, then the Gemara should forbid removing the rooster's crest on the grounds that the act causes the rooster pain, even though a desired outcome of castrating the rooster results. Being that our Gemara does not prohibit the action of removing the rooster's crest due to the pain that result, we can conclude that causing pain to an animal when human gain results is allowable.

The Terumas Hadeshen notes that a possible refutation of this position may be deduced from an episode recorded in Chulin⁴. Rav Pinchas ben Yair arrived at Rebbi Yehuda HaNasi's home, having been invited to eat there. At the entrance to the home he encountered white mules, whose kicks are very dangerous. Being that the mules were owned by Rebbi Yehuda HaNasi, Rebbi Pinchas ben Yair refused to eat there saying that he would

not eat in a home where the Angel of Death is found. Rebbi Yehuda HaNasi endeavored to appease Rav Pincha ben Yair by offering potential resolutions, each of which Rav Pinchas ben Yair countered. Amongst the resolutions presented was that the hooves of the mules be removed, thereby removing the danger. Rav Pinchas ben Yair countered by stating that such an action would cause pain to the animals (צער בעלי חיים). If removing the hooves from these dangerous animals is prohibited, than other actions causing pain to animals should be forbidden even if they benefit humans. The Terumas Hadeshen dismisses this refutation⁵ by stating that the act of dehooving the mules was not done for human benefit or in order to improve the animals appearance, but rather in order to prevent them from causing injury. However, these injuries were not a common occurrence, because if indeed such injuries were common than surely Rav Yehuda HaNasi would not have kept these dangerous animals in his home. Rav Pinchas ben Yair's concern was beyond the letter of the law (מדת חסידות). Thus in this situation removing the hooves from such an animal would not be allowed.

Based upon these sources, the Terumas Hadeshen proposes that indeed it would be permitted to defeather birds while they are still alive and/or remove the tails from dogs to improve their appearance. However, he notes that the common custom is to avoid and refrain from such actions. Possibly this popular inclination is due to a desire to not act with cruelty towards animals⁶ because of the possibility of punishment similar to that which occurred to Rebbi Yehuda HaNasi⁷ who suffered affliction because he did not rescue a calf that desired his protection. ■

- 1 שו"ת תרומת הדשן (פסקים וכתבים סי' קה)
- 2 וכזה פסק הרמ"א (אה"ע סי' ה' סעיף יד) שכל דבר שצריך לרפואה או לשאר דברים לית ביה משום צער בעלי חיים.
- 3 קידושין (דף פב ע"א)
- 4 חולין (דף ע"ב)
- 5 ראה כזה בשו"ת פרי יצחק ח"א (סי' כד) ובשו"ת שואל ומשיב (מהד' תנינא ח"ג סי' סה)
- 6 עיי' תשובתו המפורסמת של הנודע ביהודה בענין ציד חיות (שו"ת נוב"י מהד"ת חיו"ד סי' י')

Distinctive INSIGHT

Belligerence Against the Rulings of the Sages

פורץ גדר ישכנו נחש

In his sefer Shem Olam, the Chofetz Chaim quotes an insightful comment which he heard from Rebbe Yitzchok Isaac from Suvalk. Here, and in the Gemara Avoda Zara (27a) we cite the verse from Kohelles (10:8): "The one who breaks down a wall will be bitten by a snake." When the Gemara invokes this phrase, it does so in referring to one who "breaks the barrier" of the rulings of the

sages and their guidelines. When a person ignores the enactments of the rabbis, and he is asked to explain his belligerence, he might respond by excusing himself and claiming that he has not violated any Torah laws. The truth, however, is that this person is not innocent. Every decision by the rabbis to implement a guideline or precaution is only due to their sensitivity to the eventuality that a Torah violation will develop without their intervention.

This is why we say that a person who ignores the rabbis' warnings is entering into a situation parallel to that of a snake bite. The snake attacks and bites at the heel level. A superficial observer would think that this does not present a noticea-

ble danger to the person. After all, the heel is the lowest part of the body, far and remote from anything essential. Yet, this is a big mistake. The venom of the snake has the ability to spread far beyond the heel and the foot alone. Soon, the leg and later the entire body is overwhelmed with the deadly poison from head to toe.

This lesson is representative of the sinful oversight of this person who miscalculated how certain actions invariably lead to other habits, and some conditions lead to situations which can spin out of control. The one who breaches the barrier of the rabbis is heading to a danger zone similar to that which we find by the bite of a snake. ■

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