

OVERVIEW of the Daf

1) Mad dog (cont.)

The Gemara explains the difference between Rav and Shmuel concerning the cause of mad dog disease.

A Baraisa is cited that supports Shmuel's position that a mad dog should be killed by throwing something at it.

Two points in the Baraisa are clarified.

2) צפידנא

The Gemara retells the incident of R' Yochanan suffering from צפידנא and how he discovered and publicized the cure.

The remedy for צפידנא is presented.

The cause and symptoms of the disease are identified.

R' Yochanan once suffered from this condition and treated it on Shabbos despite the necessity to violate Shabbos in the process. When questioned, R' Yochanan explained that in his opinion all Tannaim would agree that the disease could be treated because of the potential danger.

After one failed attempt, two proofs are presented that Chachamim agree that it is permitted to treat צפידנא on Shabbos.

3) Treating possible dangers to life

R' Yehudah in the name of Rav explained that the language of the Mishnah teaches that if one needs treatment for eight days he may start on Shabbos even though it will necessitate violating a second Shabbos.

A Baraisa supports this ruling.

A Baraisa presents a number of cases related to the necessity to quickly save a child who is in danger.

The Gemara explains the necessity for all the different examples cited in the Baraisa.

4) Following the majority to save a life

Shmuel is quoted as ruling that we do not follow the majority when it comes to saving a life.

The Gemara explains the case Shmuel referred to in his ruling.

A contradictory ruling from Shmuel is presented. ■

Distinctive INSIGHT

Guidelines of violating Shabbos to save a life

לא ספק שבת זו בלבד אמרו אלא אפילו ספק שבת אחרת כו'

Rashash explains that the Gemara is addressing a case where we are certain that a person will not die due to his condition on this Shabbos, but treatment must be done today to avoid the possibility that he may die the next Shabbos if we do not act. Although his life is not at risk this particular Shabbos, the halachah is that we are allowed to violate the Shabbos this week to save the person from the life-threatening condition which would otherwise develop.

Rashash questions this understanding of the Gemara. If the insight of the Gemara is that we may violate Shabbos even though the danger is not for today itself, why does the Gemara express its statement in terms of the person being in danger the next Shabbos? It should simply say that we may act to avoid danger that will develop on a subsequent day, even if it were a weekday. Secondly, the halachah as stated is obvious. If a threat to life can only be avoided if we act now, on Shabbos, it certainly does not matter when the specific danger is expected to happen. The point is that saving a life is primary and we must act, even on Shabbos.

Based upon these questions, among other considerations, Rashash explains that the Gemara is teaching a different lesson. If our acting to save a life can wait until after Shabbos with no added risk, we must wait. But if we will have to violate Shabbos, and the question is whether we should do it now or later on that same Shabbos, the novelty of this teaching is that we must already act earlier, and we do not say that it would be better to preserve the sanctity of Shabbos as long as possible. He also learns that if we must act twice to save the life of this person (i.e., prepare a medicine twice), and at least one time must be on Shabbos, we allow the second violation to be done on Shabbos as well, and we do not have to wait until after Shabbos. (See Rashash as to how to read the Gemara.) ■

REVIEW and Remember

1. How did R' Yochanan trick the noblewoman into sharing the remedy for צפידנא?
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2. Why is צפידנא such a serious disease?
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3. What does the Mishnah intend to emphasize when it says that any possible danger supersedes Shabbos?
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4. What is the chiddush of Shmuel's ruling that we do not follow the majority when it comes to saving a life?
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HALACHAH Highlight

Non-Jewish Hatzalah drivers

ואין עושין דברים הללו לא ע"י נכרים ולא ע"י כותיים אלא ע"י גדולי ישראל

And we do not do these things by gentiles or by Cutheans, only by Jewish adults

Rambam¹ codifies this ruling and writes that life-saving measures on Shabbos should be performed by a Jewish adult, and a non-Jew should not be asked to perform these measures. Rabbeinu Nissim² explains that if people see that non-Jews are asked to violate Shabbos they will think that one should try to avoid violating Shabbos, even for the sake of saving a life. This could lead to dangerous circumstances where people avoid life-saving activities because they think that one should attempt to avoid desecrating Shabbos. To assure that this would not occur, Chazal decreed that the procedures should be performed by Jewish adults.

Rav Moshe HaKohen of Luniel³ offers a different explanation. He explains that Rambam was concerned that a non-Jew would not act as quickly to carry out the necessary procedures and this could put a person's life in danger. In order to avoid this possible occurrence Chazal decreed that

life-saving measures should be performed by Jewish adults.

A practical difference between these two explanations is where we are certain the non-Jew will act as quickly as a Jew. According to Rav Moshe HaKohen one should ask the non-Jew to perform the melachah since it will not compromise the patient's care. According to Rabbeinu Nissim there is still room for concern.

Rav Moshe Feinstein⁴ ruled, in light of the above discussion, that Hatzalah ambulances should be driven by non-Jews. Since non-Jewish drivers drive as quickly as the Jewish drivers and the driver is not the one who is responsible for administering care for the patient both concerns are alleviated. In a later responsum⁵ Rav Moshe took note of the fact that non-Jewish drivers were not as fast as the Jewish drivers so he wrote that Jewish drivers should drive to the hospital and the non-Jewish driver could drive after they had brought the patient into the hospital. For practical considerations, however, he wrote that in the United States non-Jews should not be part of the team and decided that only Jews be should Hatzalah drivers. ■

1. רמב"ם פ"ב מהל' שבת ה"ג
2. ר"ן ד' בדפי הר"ף ד"ה ואין עושין
3. הגהות הרמ"ך על הרמב"ם הנ"ל וע' בכס"מ מש"כ על דבריו
4. שו"ת אג"מ או"ח ה"ד סי' פ'
5. שו"ת אג"מ או"ח ה"ה סי' כ"ה ■

STORIES Off the Daf

To save a life

ספק נפשות דוחה את השבת

As we find on today's daf, even a possibility of preserving life takes precedence over Shabbos, and Ramban writes that there is no particular middas chassidus in refraining from violating Shabbos in such a case. In fact, one who avoids violating Shabbos on this account and dies is considered responsible for the loss of his own life, God forbid.

However, that which constitutes a threat to life for one person does not necessarily hold true for another person. Rav Chaim Soleveitchik, zt"l, told Rav Boruch Ber, zt"l, that this is why a Rav must be clever, because establishing the guidelines of genuine need demands great insight.

Rav Gedaliah Moshe Goldman, zt"l, the Rebbe of Zvhil, spent over seven years in Siberia. One Shabbos, he and an elderly prisoner were summoned to the camp commandant's office.

"You are free to leave as soon as you sign your release form," he said.

The Rebbe struggled with himself. On the one hand, it is forbidden to write on Shabbos. On the other, perhaps this is a case of pikuach nefesh and he must sign! After a moment's consideration, the Rebbe concluded that his situation was not life-threatening; after all, he had survived until now. He refused to sign.

"You're not signing the release?" exclaimed the incredulous commandant. "That's fine with me. As far as I'm concerned, you can sit here forever!"

The commandant then turned to the elderly Jew and said, "You are free

to go as soon as you sign your release form."

He too refused to sign, but the Rebbe intervened.

"I am prepared to sign for my companion so he can go free," he exclaimed.

The commandant was perplexed. "I don't understand. Why can you sign for your friend's release, but not for your own?"

The Rebbe answered, "I can't sign for myself since I may only violate the Shabbos if my life is clearly in danger, and I don't believe that it is. He, however, is elderly. He has no chance of surviving if he remains here much longer. Therefore I must certainly sign to save his life."

The commandant was dumbfounded. "You'll sign for him, but not to save yourself? That's incredible! You can both leave without signing!" ■

