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Yoma Daf 84

Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

Daf Notes is currently being dedicated to the neshamah of
Tzvi Gershon Ben Yoel (Harvey Felsen) o”h

May the studying of the Daf Notes be a zechus for his neshamah and may his soul find peace in Gan Eden and be bound up in the Bond of life

‘One whom it bites, dies’. What is the remedy? — Abaye said: Let him take the skin of a male polecat, and write upon it: I, So-and-so, the son of that-and-that woman, write upon the skin of a male polecat: Kanti, kanti, kelirus, and some say: Kandi, kandi, keloros. [And then he continues:] God, God, Hashem, Master of Legions, Amen, Amen, Selah. Then let him remove his clothes, and bury them in a cemetery [at cross-roads], for twelve months of a year. Then he should take them out and burn them in an oven, and scatter the ashes at cross-roads. During these twelve months, if he drinks water, he shall not drink it but out of a copper straw, lest he see the reflection of the demon and be endangered. Thus the mother of Abba bar Marta, who is Abba bar Minyumi, made for him a straw of gold [for drinking purposes]. (84a1)

The Mishnah had stated: Furthermore, did Rabbi Masya say.... Rabbi Yochanan suffered from tzefidna. He went to a matron, who prepared something for him on Thursday and Friday. He said to her: How shall I do it on the Shabbos? She answered him: Then you will not need it [any more]. He said: But if I should need it, what then? She replied: ‘Swear to me that you will not reveal it’ [to others]; whereupon he swore: ‘To the God of Israel I shall not reveal it’. She revealed it to him, and he went forth and expounded it in his lecture. - But he had sworn to her? — [He swore]: ‘To the God of Israel I shall not reveal it’ [which implies] but to His people I shall reveal it! - But this is a desecration of God’s Name? — It was so that he had explained it [the meaning of his oath] to her from the very beginning. - What did she give to him? Rav Acha, the son of Rav Ammi said: The water of yeast, olive oil and salt. Rav Yeimar said: Yeast itself, olive oil and salt. Rav

Ashi said: The fat of a goose-wing. Abaye said: I tried everything without achieving a cure for myself, until an Arab merchant recommended: ‘Take the pits of olives which have not become ripe one third, burn them in fire upon a new rake, and stick them into the inside of the gums’. I did so and was cured. (84a1 – 84a2)

From where does tzefidna come? — From [eating] very hot wheat [bread], or from the [overnight] remnants of fried fish-hash. What is its symptom? — If he puts anything between his teeth, his gums will bleed. (84a2)

When Rabbi Yochanan suffered from tzefidna, he applied this [remedy] on the Shabbos and was healed. How could Rabbi Yochanan do that? — Rav Nachman bar Yitzchak said: It is different with tzefidna, because whereas it starts in the mouth, it ends in the intestines. Rabbi Chiya bar Abba said to Rabbi Yochanan: According to whom is it? According to Rabbi Masya ben Charash who said that if one has pains in his throat one may pour medicine into his mouth on the Shabbos? — I say: In this case, but in no other.¹ Shall we say that the following [teaching] supports his view? If one is attacked by jaundice one may give him to eat the meat of a donkey; if one was bitten by a mad dog, one may give him to eat the lobe of its liver; and to one who has pains in his mouth may be given medicine on the Shabbos — this is the view of Rabbi Masya ben Charash; but the Sages say: These are not considered cures. — Now what does ‘these’ mean to exclude? Won’t you say it is meant to exclude medicine?² No, it is meant to exclude blood-letting in case of quinsy. Thus also does it seem logical. For it was taught: Rabbi Yishmael

¹ Here the Sages will agree with him, because of the ultimately dangerous character of the disease.

² As being permissible owing to their curative properties.

son of Rabbi Yosi reported three things in the name of Rabbi Masya ben Charash: One may let blood in the case of quinsy on the Shabbos, and one whom a mad dog has bitten may be given to eat the lobe of its liver, and one who has pains in his mouth may be given medicine on the Shabbos, whereas the Sages hold: These are not considered cures. Now what does 'these' exclude? Would you not say 'these' excludes the two latter one, and not the first one?³ — No, it means to exclude the first two ones, and not the last one.

Come and hear: For Rabbah bar Shmuel learned: If a pregnant woman has smelled [food], one feeds her until she is restored; and one who was bitten by a mad dog is given to eat from the lobe of its liver, and one who has pains in his mouth may be given medicine on the Shabbos — these are the words of Rabbi Elazar ben Rabbi Yosi in the name of Rabbi Masya ben Charash. But the Sages say: In this case, but not in another. Now what does 'in this case' refer to? Would you say to the pregnant woman? That is self-evident; for is there anyone to say that in the case of a pregnant woman it would not be permitted? — Hence it must refer to the medicine. This is conclusive.⁴ Rav Ashi said: Our Mishnah too justifies this inference. Rabbi Masya ben Charash said: Furthermore, if one has pains in his mouth one may give him medicine on the Shabbos. And herein the Rabbis do not dispute him. For if it were that the Rabbis dispute him, he should teach these together, and afterwards mention that the Rabbis dispute it. This is conclusive evidence. (84a2 – 84b1)

The Mishnah had stated: Because it is a possibility of danger to human life. Why was it necessary to add 'and wherever there is danger to human life, the laws of the Shabbos are suspended? — Rav Yehudah in the name of Rav said: Not only in the case of a danger [to human life] on this Shabbos, but even in the case of a danger on the following Shabbos. How

³ Which the Rabbis consider a cure. Which proves that the Sages, while they regard bloodletting as a cure for quinsy and permissible on Shabbos, do not extend this sanction to medicine in general.

⁴ That the Rabbis agree that this may be given on Shabbos.

is that? If e.g., the [diagnosis] estimates an eight-day [crisis] the first day of which falls on the Shabbos. You might have said, let them wait until the evening, so that the Shabbos may not be desecrated because of him, therefore he informs us [that we do not consider that]. Thus also was it taught: One may warm water for a sick person on the Shabbos, both for the purpose of giving him a drink or of refreshing him, and not only for [this] one Shabbos did they rule thus, but also for the following one. Nor do we say: Let us wait, because perchance he will get well, but we warm the water for him immediately, because the possibility of danger to human life renders inoperative the laws of the Shabbos, not only in case of such possibility on this one Shabbos, but also in case of such possibility on another Shabbos. Nor are these things to be done by gentiles or [minors], but by Jewish adults. Nor do we say in this connection: We do not rely in such matters on the opinions of women, or of Cutheans, but we join their opinion to that of others.⁵ (84b1 – 84b2)

Our Rabbis taught: One must remove debris to save a life on the Shabbos, and the more eager one is, the more praiseworthy is one; and one need not obtain permission from the Beis Din. How so? If one saw a child falling into the sea, he spreads a net and brings it up — the faster the better, and he need not obtain permission from the Beis Din though he thereby catches fish [in his net]. If he saw a child fall into a pit, he breaks loose one segment [of the entrenchment] and pulls it up — the faster the better; and he need not obtain permission of the Beis Din, even though he is thereby making a step [stairs]. If he saw a door closing upon an infant,⁶ he may break it, so as to get the child out — the faster the better; and he need not obtain permission from the Beis Din, though he thereby consciously makes chips of wood. One may extinguish and isolate [the fire] in the case of a conflagration — the sooner the better, and he need not

⁵ If e.g., two say it is necessary, three say it was not, and a woman or a gentile assert it is necessary, the opinion of the latter is joined to that of the others, who are in the affirmative, thus presenting a divided opinion, in which case, since danger to human life is involved, the more lenient view is adopted.

⁶ The infant may be frightened, or within the room, endangered.

obtain permission from the Beis Din, even though he subdues the flames. Now all these cases must be mentioned separately. For if only the case of the [infant falling into] the sea had been mentioned [one would have said, it is permitted there] because meantime the child might be swept away by the water, but that does not apply in the case [of its falling into] the pit, because since it remains [stays] in there, one might have thought, one may not [save it before obtaining permission], therefore it is necessary to refer to that. And if the teaching had confined itself to the case of the pit, [one would have thought, there no permission is required] because the child is terrified but in the case of a door closing upon it, one might sit outside and [amuse the child] by making a noise with nuts, therefore it was necessary [to include that too]. - For what purposes is the 'extinguishing' and 'isolating' necessary? — Even for the protection of another [neighboring] courtyard. (84b2 – 84b3)

Rav Yosef said on the authority of Rav Yehudah, in the name of Shmuel: In the case of danger to human life one pays no attention to majority. How is that? Would you say [in the case of] nine Israelites and one Cuthean among them? But then the majority consists of Jews! Or, even if there were half and half, in the case of danger to human life, we take the more lenient view? Again, if you say that it is a case of nine Cutheans and one Jew, that too is self-evident, because it is stationary and whatever is stationary is considered half and half? — No, it refers to a case in which [one has] gone off into another courtyard. You might have said: Whoever has gone off, has gone off from the majority which consisted of Cutheans, therefore the information that in case of danger to human life, we are not concerned with question of majorities which consisted of Cutheans. But that is not so, for Rav Assi said in the name of Rabbi Yochanan: In the case of nine Cutheans and one Jew, [if a building collapsed upon them

while they were all] in that court, one must remove debris, but not if [a building collapsed] in another courtyard? — This is no contradiction: In the one case all had gone off,⁷ in the other only a few had gone off.⁸ - But could Shmuel have said that? Have we not learned: But we learned in the following *Mishna*: If an abandoned child was found in a city and we are uncertain if the child was a Jew or a Cuthean, the *halachah* is as follows: If the majority of the inhabitants of the town consist of Cutheans, the child is a Cuthean; if the majority of the inhabitants of the town consist of Jews, the child is a Jew, and if the inhabitants of the town are fifty-fifty, the child is ruled to be a Jew. And Rav said that this *Mishna's* ruling is only in respect to the obligation to sustain the child (*like any other poor person in the city*), however in regards to his purity of descent, we do not regard him as a Jew (*because two majorities are necessary*). Shmuel says: He is ruled to be a Jew even in respect to removing a pile of stones from upon him on *Shabbos* (*this dispensation is only allowed for the purpose of saving a Jew's life*). — The *Gemora* answers: Shmuel was referring to the first part of the *Mishna*. The *Mishna* said: If an abandoned child was found in a city and we are uncertain if the child was a Jew or an idolater, the *halachah* is as follows: If the majority of the inhabitants of the town consist of non-Jews, the child is a non-Jew. Shmuel said: In respect to removing a pile of stones from upon him on *Shabbos*, he is not regarded as a non-Jew (*although the majority of people are non-Jews*), and we must consider the possibility that he is a Jew and we remove the pile of stones from upon him.

The *Mishna* had stated: If the majority of the inhabitants of the town consist of non-Jews, the child is a non-Jew. The *Gemora* asks: Regarding what law do we consider him to be a non-Jew? Rav Pappa answers: We may feed him *neveilos* (*meat from an animal that was not slaughtered properly*).

⁷ All of them left the first courtyard and entered the second; we must desecrate the *Shabbos*, for we know for certainty that the building collapsed in a courtyard where there was one Jew. Shmuel is teaching us that we do not follow the majority although they were moving about at the time the building collapsed.

⁸ Only some of them left the first courtyard and entered the second; as we do not know for certain that there ever was a Jew in the second courtyard, we follow the majority and do not desecrate the *Shabbos*.

The *Mishna* had stated: If the majority of the inhabitants of the town consist of Jews, the child is a Jew. The *Gemora* asks: Regarding what law do we consider him to be a Jew? Rav Pappa answers: We are obligated to return to him his lost articles.

The *Mishna* had stated: If the inhabitants of the town are fifty-fifty, the child is ruled to be a Jew. The *Gemora* asks: Regarding what law do we consider him to be a Jew? Rish Lakish answers: It is in respect to the laws of damages.

The *Gemora* asks: What are the circumstances of the case? If it is one where an ox of ours (one belonging to a definite Jew) gored the ox belonging to the child, let him (the owner of the ox which gored) tell him (the child), "Provide proof that you are a Jew and then collect"! The *Gemora* explains: It is referring to an ox of that abandoned child which gored another animal belonging to a Jew. He is liable for half the damages as is the *halachah* by an ox of an ordinary Jew that gored for the first time. However, if he would be an idolater, he would be obligated to pay in full. Since there is a doubt, the child can say to the owner of the animal, "Bring a proof that I am not a Jew, and only then, will I pay in full." (84b3 – 85a2)

INSIGHTS TO THE DAF

What is Wrong?

The *Mishna* states that if one feels pain in his throat, it is permitted to place medicine in his mouth on Shabbos, as saving a life supersedes the Shabbos prohibitions.

The *Gilyon Maharsha* wonders what possible Shabbos prohibition could be violated in such a situation.

Rav Zalman Leff, the *Rosh Kollel* from Boston noted that a similar question arises in the *Gemara* in Rosh Hashanah 33. The *Mishnah* there states that one cannot move a boulder which is resting on a shofar. Rabbeinu Chananel states explicitly that this would be biblically forbidden. There too

we must wonder what biblical prohibition is involved in moving a boulder on Yom Tov.

Performing a Less Severe Act although Success is not Guaranteed

The *halachah* is that when feeding a sick person with forbidden food, we initially attempt to feed him the food that is least severe in punishment regarding its consumption.

The *Sefer Toras HaYoledes* wonders what the *halachah* would be in a situation where the food that is more severe in punishment for its consumption will certainly heal the person, whereas the food that is more lenient regarding the punishment for its consumption will not definitely heal the ill person. Do we disregard the certainty of the former food and feed the patient the food that is less severe in punishment for its consumption?

It is clear that this question is only relevant when there is time to attempt feeding the patient the food that is less severe in punishment regarding its consumption. If this was not the case, it is clear that we would feed the patient the food that would certainly cure him.

The *Toras HaYoledes* offers a proof from Tosfos here who writes that the *Gemara* states that one can extinguish a fire on Shabbos or one can set up utensils that are filled with water which will cause the fire to be extinguished. Tosfos wonders why the *Gemara* found it necessary to state that one can place utensils near the fire to cause it to be extinguished if we have already been taught that one can extinguish the fire directly. In his second answer, Tosfos explains that one would have thought that one is permitted to extinguish a fire directly because one will accomplish what he has set out to do. When one places utensils near the fire to extinguish the fire, however, it is possible that he will not accomplish what he set out to do, i.e., extinguishing the fire, and one would have thought that such an act should not be permitted. The *Gemara* therefore felt it necessary to teach us that even if one is not certain of the outcome, he can place the utensils near the fire to cause the fire to be extinguished.

The *Toras HaYoledes* understands from the words of Tosfos that placing the utensils near the fire is only a rabbinical prohibition, as such an act will cause the fire to be extinguished indirectly. Since the act is only prohibited rabbinically, we prefer that one exercise this approach even though he may not accomplish what he has set out to do. Hence, we have a proof that one must always attempt to perform the act that is less severe in punishment even though one cannot be certain of success.

Science or Fiction?

The Mishnah states that if one was bitten by a mad dog, we do not feed him from the dog's liver lobe in order to heal him. Rambam explains that the rationale for this ruling is that the laws of the Torah are only suspended for cures that have a scientific rationale or have been shown by experience to be effective. One whose life is in danger can be healed through non-kosher medicine as long as it is a natural medicine.

Rashi maintains that the reason we cannot feed the person the dog's liver lobe is because it is not a valid cure.

The commentators wonder why one cannot heal someone on Shabbos even with a dubious remedy, as the halachah is that the laws of Shabbos are suspended in order to save a life.

Shearim Mitzuyanim B'Halachah answers that Rashi's explanation must be aligned with the opinion of the Rambam that the reason we cannot heal the person with the dog's liver lobe is because this is not a scientific cure. Rather, this is a remedy known as a *segulah*, a talisman.

It is noteworthy that the Chidah maintains that one is permitted to attempt to save a life with a forbidden food even if the remedy is only a *segulah*.

Violating Shabbos to Save a Life

The Gemara states that one can violate the Shabbos if there is a possibility that one's life will be saved.

The *Aruch HaShulchan* in Orach Chaim 328:3 notes that there is a debate amongst the Rishonim if the violation of Shabbos is totally permitted or if the laws of Shabbos are merely overridden because of the life-threatening situation.

This debate would be analogous to the ruling that the laws regarding *tumah*, ritual impurity, are suspended regarding the community. The Gemara stated earlier that a *korban* belonging to the community can be offered even if the *Kohanim* are *tamei*. The Gemara records a debate regarding the need to find a *Kohen* who is *tahor* to perform the *avodah*. The argument is predicated on the question if the laws of *tumah* are totally permitted or if they are merely overridden because of the current situation. The same rationale can be applied with regard to saving a life on Shabbos. If saving a life is totally permitted, it is not necessary to seek a means of saving a life in a manner that the Shabbos would not be violated. If, however, we say that saving a life merely overrides the Shabbos prohibitions, then one must first ensure that there is no other means of saving the person's life before one violates the Shabbos.

The commentators wonder according to the opinion that maintains that saving a life on Shabbos is totally permitted, why is there a halachah that one must seek the more lenient prohibition?

Majority Rules

According to the Rambam, all descendants of Keturah (Avraham's other wife) are obligated in the mitzvah of Bris Milah (circumcision), while Rashi holds only the actual children of Keturah were obligated in Bris Milah, whereas the subsequent generations descending from Keturah are not obligated. The Rambam says that although only the descendants of Keturah are obligated in Bris Milah and not the descendants of Yishmael; however, nowadays, even the descendants of Yishmael are obligated, because the descendants of Yishmael are mixed together with the descendants of Keturah and we cannot tell them apart.



The Shaagas Aryeh asks on the Rambam that we have a tradition that King Sancheriv exiled all of the nations and mixed the nation with each other. Consequently, the idolaters are no longer aware which nation they descend from. For that reason, although certain nations such as Amon and Moav are forbidden to marry a Jewess even after they convert, nowadays, the prohibition no longer applies, because we have no way of knowing if a convert descends from Moav or Amon, and since the convert's status is in doubt, we follow the majority. If so, why does the Rambam say that the descendants of Keturah and Yishmael are obligated in Bris Milah; how do we know that they are truly descendants from Keturah?

The Mincha Chinuch says that he does not understand the question of the Shaagas Aryeh. The question of whether the descendants of Keturah are obligated in Bris Milah is completely different than if Amon and Moav are allowed to marry into Klal Yisrael. In a case where someone from Amon converts, he is considered to have separated himself from the mix, and therefore the dictum would apply that something that is separated from the mix is given the status of the majority (Kol DiParush Meiruba Ka Parush). However, with regarding to the descendants of Keturah, they are not separating themselves from the mix, and consequently they are regarded as being 'Kavua' (stationary). Chazal teach us that with regards to 'Kavua' - we do not follow the majority, and instead, it is regarded as fifty:fifty (Kol Kavua KiMechtza Al Mechtza) with an equal probability that they are from Keturah, and thus the Halachah would be that we must be stringent, and they would be obligated in Bris Milah.

DAILY MASHAL

An Exalted Jew

The Gemara states that if one found an abandoned child in the city and we do not know whether the child is a Jew or a Cuthean, if a majority of the city's inhabitants are Cutheans, he is treated as a Cuthean, and if the majority of the city's inhabitants are Jews, he is treated as a Jew. If half of the inhabitants are Jews and half are Cutheans, then he is treated

as a Jew. Rav said regarding the Mishnah that if most of the inhabitants are Jews, the child is treated as a Jew only with respect to sustaining him, but not with respect to ascribing pure lineage to him.

Rashi explains that if the child is a female, a Kohen is prohibited to marry her even after she converts to Judaism, as a Kohen cannot marry a convert. Although the principle of majority dictates that this child was born a Jew, Rabbinic law requires extra safeguards to render her eligible for marriage to a Kohen.

This is truly an amazing concept. One can be considered a Jew, yet we will not grant that person the status of having attained pure lineage. This idea can also be applied to the soul of a Jew. Although every soul was created from beneath the Heavenly Throne, one can cause his soul to be sullied through sin.

The Gemara in Sanhedrin states that a Yisroel, even if he has sinned, is still a Yisroel. This implies that a Jew never loses his exalted status of being considered one of HaShem's children. Yet, the Arizal writes that when a Jew sins, his soul departs from him. Yes, one is always a Jew, but a Jew without a soul is not an exalted Jew.

Our ambition should be to remain exalted Jews, with the soul that HaShem breathed into us always functioning and retaining its pristine status that it had when it descended from the Heavenly Throne.