

MEDICATIONS ON SHABBOS: A FOLLOW UP

by Rabbi Doniel Neustadt

The following is a discussion of Halachic topics related to the Parsha of the week. For final rulings, consult your Rav.

The last column, which reviewed the subject of using medications on Shabbos in non-life threatening situations, elicited requests for clarification of the halachic principles underlying the rulings cited. In addition, several questions were posed regarding cases that were not covered in the article. Although we cannot address all of the issues which were raised, we will attempt to address those which aroused general interest.

EXPLANATION OF THE RABBINICAL PROHIBITION AGAINST USING MEDICATION ON SHABBOS:

To determine when one is allowed to take medicine on Shabbos for non life-threatening conditions, we must focus on two separate halachic considerations. First of all, we must ascertain that none of the thirty-nine Shabbos Labors is being transgressed in any way, either Biblical or Rabbinical. Obviously, we cannot prepare medication by either grinding raw material or mixing it; we cannot buy medication at a drug store; we cannot put on a light to see where medication was stored, and so on. In this regard - in determining that there is no transgression of the thirty-nine forbidden Shabbos Labors - there is no difference between this Shabbos prohibition and any other.

However, the prohibition against using medication on Shabbos is also governed by a Rabbinical decree against using medication on Shabbos even when no forbidden Shabbos Labor is performed. The Rabbis prohibited unrestricted use of medication on Shabbos for fear that it would lead to the violation of one of the thirty-nine Shabbos Labors. The Labor which concerned the Rabbis most was "grinding", since grinding some substance is a prerequisite for almost every medicinal preparation(1).

Once the Rabbis prohibited using medicine on Shabbos, they included in this prohibition any kind of treatment or procedure which could involve the use of medicine - even if medicine is not actually being used. The classic example in the Shulchan Aruch is the prohibition against the old-time remedy of sweating for medicinal purposes(2). Sweating can be induced in one of two ways: a) by taking certain medicines which are prepared by grinding, and b) by performing certain types of exercises. Even though exercise is totally unrelated to taking medicine and cannot possibly lead to

"grinding", it is still forbidden to exercise on Shabbos(3) since one could also induce sweating by the first method - taking certain medicines which are prepared by grinding(4).

If, however, the goal of the treatment or procedure can only be achieved without the use of medicine, then it is permitted to avail oneself of that treatment or procedure. For example, it is permitted to press on a bump with a knife, since the goal, which is to reduce swelling, cannot be arrived at by taking medicine. Similarly, braces may be worn on Shabbos because there is no medicine for aligning teeth properly.

Included in the Rabbinical prohibition are only actions which heal a wound or alleviate pain. If the action merely serves to protect a wound from infection(5) or to shield a healed wound from being re-injured(6), it is allowed. It is permitted, therefore, to clean and bandage a wound or to pour hydrogen peroxide over it.

The Rabbinical prohibition includes medications only. Food and drink, however, are permitted even when they are being consumed for medicinal purposes. It is permitted, therefore, to drink tea for a sore throat, to eat almonds to relieve heartburn and to chew vitamins which serve as a food supplement(7).

QUESTION: Nowadays, when medicine is always prepared at a pharmacy, there is no longer any fear that using medicine will lead to "grinding". Why, then, is this Rabbinical prohibition still in effect?

DISCUSSION: Although a minority of contemporary poskim are inclined to be lenient with medication on Shabbos nowadays because of the change in technique(8), the general consensus is to reject this argument. Some of the reasons offered are as follows:

Generally, a Rabbinical decree, once enacted, is not repealed even when the reason behind it no longer applies(9).

There are several homeopathic remedies, such as natural herbs and spices, which are still prepared at home and require grinding. In fact, these types of medications are gaining popularity.

In underdeveloped countries, people have never stopped preparing medicines in their own homes.

Some modern-day medication may lead to other Biblical Labors, such as "smoothing" or "kneading".

In spite of the above, there are some poskim who feel that nowadays we can be somewhat more lenient when interpreting the Rabbinical decree. Although all the poskim agree that we may not do away with the Rabbinical decree altogether, we may, nevertheless, find some room for leniency in case of severe distress or pain (even if the pain is localized and does not require bed rest)(10).

QUESTION: Why did the Rabbis suspend the prohibition against taking medicine when one feels weak all over or bad enough to go to bed?

DISCUSSION: The Talmud rules that the Rabbis suspended many of their decrees for a person who

can be classified as "ill", even if not dangerously so. Thus, for example, it is permitted to instruct a non-Jew to do anything which a patient may require on Shabbos, since instructing a non-Jew is a Rabbinical prohibition. Since taking medication on Shabbos is a Rabbinical prohibition, it is suspended when the patient can be classified as "ill". The poskim agree that when one has fever, feels weak all over or feels bad enough to require bed rest, he can be classified as a "patient not dangerously ill" and medications are permitted to be taken(11).

Since "requiring bed rest" and "weak all over" are subjective terms, it is up to each individual to determine his personal pain threshold. Consequently, one who feels that he must lie in bed for his condition, may take medication on Shabbos even though other people in the "same" condition would not go to bed. As stated earlier, there is no requirement to be overly stringent when judging the degree of illness(12).

In addition, healthy infants and babies till the age of three (and according to some poskim even older children till the age of six(13) or nine(14)) are also halachically classified as "patients not dangerously ill", which means that the Rabbinical prohibition against taking medication is suspended. They are permitted to take all forms of medicine(15), provided that no Biblical prohibitions are transgressed.

QUESTION: Often, orthodontists instruct their patients to place a wax-like material on their braces in order to prevent soreness, or to prevent the braces from cutting into the gums, cheeks or lips. The wax is placed on the braces and then pressed on the teeth. Is it permitted to do this on Shabbos? =

DISCUSSION: Merely placing the wax on the braces and pressing it on the teeth should be permitted. There is no Biblical prohibition being transgressed, nor does this procedure fall under the Rabbinical prohibition against medicine, since the wax does not heal any condition. Rather, it protects the area from potential abrasions or cuts which is permissible on Shabbos.

A problem could arise, though, if the wax-like material is smoothed down on the braces when (or after) it is applied on the braces. To smooth it down may possibly be a transgression of the Biblical Labor of "smoothing" and would be prohibited. It is proper, therefore, to instruct those who need to use wax on Shabbos not to smooth it down. The wax should just be dabbed on the braces and pressed down.

[It is possible to argue that smoothing down this wax-like material is not considered "smoothing" at all. Natural wax, which is strictly forbidden to smooth down, is a drippy substance which needs to be smoothed down in order for it to harden and serve as a filler. [The natural wax described in the Shulchan Aruch(16) is used to fill a hole in the wall of a barrel]. The texture of the synthetic, pliable wax-like material used in orthodontics, however, is altogether different and is meant to be pounded and pressed into a number of shapes and thicknesses. "Smoothing" may not apply to it at all(17).]

The clumps of wax should be broken off before Shabbos, because it is questionable if it is considered "tearing" to do so on Shabbos(18).

FOOTNOTES

1. Mishnah Berurah 327:1.
2. O.C. 328:42.
3. When the purpose of the exercise is to work up a sweat, see Beur Halachah, *ibid.* If the purpose of the exercise is to work up an appetite, it is questionable - see Sha'ar ha-Tziyun 301:9. If the purpose of the exercise is to lose weight, it is prohibited, since weight loss can be (partly) accomplished by taking pills. If the exercise is for pure enjoyment, it may be permitted according to the basic halachah. A rav should be consulted.
4. Mishnah Berurah 328:130.
5. O.C. 328:23 as explained by Harav S.Z. Auerbach (*Shemiras Shabbos K'hilchasah* 35, note 17). See Tzitz Eliezer 11:37 who permits drinking certain oils (like castor oil) to aid in the elimination process.
6. O.C. 328:27. See Igros Moshe O.C. 3:54.
7. Note, however, that the purpose of many vitamins is not to serve as a food supplement but rather to strengthen a weak body or to relieve certain symptoms. In the opinion of many poskim, those vitamins may not be taken on Shabbos, see Igros Moshe O.C. 3:54 and *Shemiras Shabbos K'hilchasah* 34, note 85, quoting Harav S.Z. Auerbach. See, however, Tzitz Eliezer 14:50 who takes a more lenient approach concerning vitamins on Shabbos.
8. The complex preparation entailed in manufacturing modern medicine is another reason for leniency, since it may be argued that the Rabbis were fearful that "simple" and quick Labors such as grinding would be transgressed; they did not fear that someone would engage in the lengthy and involved processing required today.
9. See Igros Moshe O.C. 2:100 for a general explanation of this rule.
10. See *Minchas Shabbos* 91:9; *Ketzos ha-Shulchan* 134:7; *Chelkas Yaakov* 4:41; and Tzitz Eliezer 8:15-15. See also *Minchas Yitzchak* 3:35 who permits taking aspirin for a headache when one is in severe distress.
11. Entire paragraph based on O.C. 328:17 and 37 and Mishnah Berurah, *ibid.* [Note that although Shulchan Aruch rules that a shinui is required for Rabbinical prohibitions to be suspended, the general consensus of the poskim is that this restriction is waived when taking oral medication. When using other medications, however (such as ointment) it is proper to employ a shinui, see Mishnah Berurah 328:85 and 130.]

12. See Tzitz Eliezer 14:50-7 and 17:13.
13. Tzitz Eliezer 8:15-12.
14. Minchas Yitzchak 1:78.
15. [Note, however, that not all of a baby's needs are exempted from the prohibition against medication, see, for instance, Mishnah Berurah 328:131 and 330:36. See Tehilah l'David 328:24 who deals with this difficulty.]
16. See O.C. 314:11 concerning this case.
17. See a somewhat similar ruling in Tikunim u'Miluim 14:39 concerning pliable ear plugs, where Harav S.Z. Auerbach rules that no smoothing applies.
18. See Beir Halachah 340:13

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