

THE LIGHT OF THE ETERNAL PEOPLE
Presented by Rabbi Shmuel Irons

Series III Lecture #8A

MEDICAL CURES IN THE TALMUD

I. The True Healer

A.

רפאנו ד' ונרפא . . . כי קל מלך רופא נאמן ורחמן אתה ברוך אתה ד' רופא חולי עמו ישראל. סידור

Heal us G-d and we will be healed. . . For you are the trusted and compassionate king and healer. Blessed are you G-d the Healer of His people Israel. **Siddur**

B.

ויאמר אם שמוע תשמע לקול ידוד אלקיך והישר בעיניו תעשה והאזנת למצותיו ושמרת כל חקיו כל המחלה אשר שמתני במצרים לא אשים עליך כי אני ידוד רפאך: שמות פרק טו: כו

And He said: If you surely listen to the voice of the L-rd your G-d and that which is upright in His eyes you do and you hearken to His commandments and you guard all His statutes, all the sickness which I placed in Egypt I shall not place upon you, for I am the L-rd your healer. **Exodus 15:26**

C.

ויחלא אסא בשנת שלושים ותשע למלכותו ברגליו עד למעלה חליו וגם בחליו לא דרש את ידוד כי ברפאים. דברי הימים ב פרק טז פסוק יב

And Asa in the thirty ninth year of his reign was diseased in his feet, until his disease was severe; yet in his disease he did not seek the L-rd, but the physicians. **Chronicles II 16:12**

D.

(1) תנו רבנן: ששה דברים עשה חזקיהו המלך, על שלשה הודו לו ועל שלשה לא הודו לו. על שלשה הודו לו: גנז ספר רפואות - והודו לו. ברכות י:

Our Rabbis taught: King Hezekiah did six things; of three of them they [the Rabbis] approved and of three they did not approve. Of three they approved: he hid away the Book of Cures; and they approved of it;

(2) שגנז ספר רפואות - כדי שיבקשו רחמים. רש"י

He hid the Book of Cures - so that they should plead for [Divine] mercy. **Rashi**

E.

דרש ר' פנחס בר חמא: כל שיש לו חולה בתוך ביתו, ילך אצל חכם ויבקש עליו רחמים, שנא: (משלי ט"ז) חמת מלך מלאכי מות ואיש חכם יכפרנה. בבא בתרא קטז.

R. Phinhas b. Hama gave the following exposition: Whosoever has a sick person in his house should go to a Sage who will invoke [heavenly] mercy for him; as it is said: The wrath of a king is as messengers of death, but a wise man will pacify it. **Bava Basra 116a**

II. Man the Healer

A.

אמר רב אחא: הנכנס להקיז דם אומר: יהי רצון מלפניך ד' אלקי שיהא עסק זה לי לרפואה ותרפאני, כי א-ל רופא נאמן אתה ורפואתך אמת, לפי שאין דרכן של בני אדם לרפאות אלא שנהגו. אמר אביי: לא לימא אינש הכי, דתני דבי רבי ישמעאל: (שמות כ"א) ורפא ירפא - מכאן שניתנה רשות לרופא לרפאות. כי קאי מאי אומר? - אמר רב אחא: ברוך רופא חנם. ברכות ס.

On going in to be cupped one should say: 'May it be Thy will, O L-rd, my G-d, that this operation may be a cure for me, and mayest Thou heal me, for Thou art a faithful healing G-d, and Thy healing is sure, since it is not the proper way for men to heal, but this is a habit with them'. Abaye said: A man should not speak thus, since it was taught in the school of R. Ishmael: [It is written], He shall cause him to be thoroughly healed. From this we learn that permission has been given to the physician to heal. When he gets up [after cupping] what does he say? — R. Aha said: Blessed be He who heals without payment. **Berachos 60a**

שאינן דרכן של בני אדם וכו' כלומר: לא היה להם לעסוק ברפואות אלא לבקש רחמים. רש"י

Since it is not the proper way for men to heal. They shouldn't have become involved in healing but rather to ask for [Divine] mercy. **Rashi ibid.**

נתנה רשות לרופאים לרפאות - ולא אמרינן רחמנא מחי ואיהו מסי. רש"י בבא קמא פה.

Permission has been given to the physician to heal. And we do not say that [since] the Merciful One caused the injury what right does he have to heal it. **Rashi Bava Kama 85a**

B.

ובר סירא אמר אלוד העלה סמים מן הארץ, בהם הרופא מרפא את המכה, ובהם הרוקח מרקח את המרקחת. בראשית רבה פרשה י

Bar Sira said: G-d brought forth herbs (medicines) from the earth. With these does a doctor heal the wound and with these does a pharmacist make his compounds. **Midrash Beraishis Rabbah 10**

C.

אמר רב יהודה אמר רב: כל מה שכרא הקדוש ברוך הוא בעולמו לא ברא דבר אחד לבטלה. ברא שבלול לכתית, ברא זבוב - לצירעה, יתוש - לנחש, ונחש - לחפפית, וסממית - לעקרב. היכי עביד ליה? מייתי חדא אוכמא וחדא חיורא, ושלקי להו ושייפי ליה. שבת עז.

Rav Yehudah said in Rav's name: Of all that the Holy One, blessed be He, created in His world, He did not create a single thing without purpose. [Thus] He created the snail as a remedy for a scab; the fly as an antidote to the hornet[’s sting]; the mosquito [crushed] for a serpent[’s bite]; a serpent as a remedy for an eruption. and a [crushed] spider as a remedy for a scorpion[’s bite]. ‘A serpent as a remedy for an eruption’: what is the treatment? One black and one white [serpent] are brought, boiled [to a pulp] and rubbed in. **Shabbos 77b**

D.

א"ל זונין לר"ע: לבי ולבך ידע דעבודת כוכבים לית בה מששא, והא קחזינן גברי דאזלי כי מתברי ואתו כי מצמדי, מ"ט? אמר לו: אמשול לך משל, למה"ד? לאדם נאמן שהיה בעיר, וכל בני עירו היו מפקידין אצלו שלא בעדים, ובא אדם אחד והפקיד לו בעדים, פעם אחד שכח והפקיד אצלו שלא בעדים, אמרה לו אשתו: בוא ונכפרנו, אמר לה: וכי מפני ששוטה זה עשה שלא כהוגן אנו נאבד את אמונתינו? אף כך יסורין, בשעה שמשגרין אותן על האדם, משיביעין אותן: שלא תלכו אלא ביום פלוני, ולא תצאו אלא ביום פלוני ובשעה פלונית, ועל ידי פלוני ועל ידי סם פלוני, כיון שהגיע זמנן לצאת הלך זה לבית עבודת כוכבים, אמרו יסורין: דין הוא שלא נצא, וחוזרין ואומרים: וכי מפני ששוטה זה עושה שלא כהוגן אנו נאבד שבועתנו? והיינו דא"ר יוחנן, מאי דכתיב: (דברים כח) וחלים רעים ונאמנים? רעים בשליחותן, ונאמנים בשבועתן. עבודה זרה נה.

[An Israelite named] Zunin said to R. Akiba: ‘We both know in our heart that there is no reality in an idol; nevertheless we see men enter [the shrine] crippled and come out cured. What is the reason?’ He replied, ‘I will give you a parable: To what is the matter like? To a trustworthy man in a city, and all his townsmen used to deposit [their money] in his charge without witnesses. One man, however, came and deposited [his money] in his charge with witnesses; but on one occasion he forgot and made his deposit without witnesses. The wife [of the trustworthy man] said to [her husband], "Come, let us deny it." He answered her, "Because this fool acted in an unworthy manner, shall I destroy my reputation for trustworthiness!" It is similar with afflictions. At the time they are sent upon a man the oath is imposed upon them, "You shall not come upon him except on such and such a day, nor depart from him except on such and such a day, and at such an hour, and through the medium of so and so, and through such and such a remedy." When the time arrives for them to depart, the man chanced to go to an idolatrous shrine. The afflictions plead, "It is right that we should not leave him and depart; but because this fool acts in an unworthy way shall we break our oath!" This is similar to what R. Johanan said: What means that which is written, And sore and faithful sicknesses? — ‘Sore’ in their mission and ‘faithful’ to their oath. **Avodah Zara 55a**

E.

אם מי שיש לו מי ירפאנו אפילו רפואת נפש לא ירפנו שלא מן הכל אדם זוכה להתרפאות.
ירושלמי כתובות פרק יג הלכה ב

Even though there is another doctor that can heal him, [the doctor who is avowed from bestowing pleasure on the patient is still allowed to heal the patient]. Why is this so?
Because one does not merit to be healed from just anyone. **Yerushalmi Kesubos 13:2**

III. Malpractice

נתנה התורה רשות לרופא לרפאות. ומצוה היא. ובכלל פיקוח נפש הוא. ואם מונע עצמו, הרי זה שופך דמים, ואפילו יש לו מי שירפאנו, שלא מן הכל אדם זוכה להתרפאות. ומיהו לא יתעסק ברפואה א"כ הוא בקי, ולא יהא שם גדול ממנו, שאם לא כן, הרי זה שופך דמים. ואם ריפא שלא ברשות בית דין, חייב בתשלומין, אפילו אם הוא בקי. ואם ריפא ברשות ב"ד, וטעה והזיק, פטור מדיני אדם וחייב בדיני שמים. ואם המית, ונודע לו ששגג, גולה על ידו. שולחן ערוך יורה דעה סימן שלו סעיף א

The Torah gave permission for a doctor to heal. And [in addition] it is a "mitzvah" and included in the "mitzvah" of saving a life. If one holds himself back [and does not offer his expertise] he is considered as if he spilled blood. [This holds true] even if there is another doctor available because one does not have the merit to be healed from every practitioner. However he shouldn't involve himself in practicing medicine unless he is an expert and there is no one in the area greater than he. For if that condition is not satisfied, [by practicing medicine] he is considered as if he is spilling blood.

If he practiced without the permission of the courts (without a license) he is required to pay monetary restitution even if he is an expert. If he practiced with a license and erred and caused damage, he is free from payment imposed by the courts but he is morally responsible. If he killed someone (by accident) and realized that he was at fault he is sentenced [by the courts] to exile. **Shulchan Aruch Yoreh Deah 336:1**

IV. Psychological Wellbeing and Medical Responsibility

A.

תנו רבנן: חולה שמת לו מת - אין מודיעין אותו שמת, שמא תטרף דעתו עליו. ואין מקרעין בפניו, ומשתקין את הנשים מפניו. מועד קטן כו:

Our Rabbis taught: If one who is ill sustains bereavement, they should not inform him thereof, lest he thereby become distracted in mind; nor do they direct to have any garments rent in his presence and they direct the women to keep silent [from lamenting] in his presence. **Moed Katan 26b**

B.

אומרים לו שיתן דעתו על ענייניו, אם הלוח או הפקיד אצל אחרים, או אחרים הלוח או הפקידו אצלו, ואל יפחד מפני זה מהמות. שולחן ערוך יורה דעה סימן שלה סעיף ז מספר תולדות אדם להרמב"ן ממסכת שמחות

They tell the patient to think about putting his affairs in order i.e. if he lent or gave as a pledge to others, or others lent him or gave him things to be held in safekeeping. And he [should be made aware] that he has nothing to fear about putting affairs in order that it can lead to his death. **Shulchan Aruch Yoreh Deah 335:7 based on the work, Toldos Adam (Ramban) which is in turn based on the tractate Semochos**

C.

וכן את מוצא בחזקיה מלך יהודה בשעה שחלה חזקיה אמר הקב"ה לישעיה לך אמור לו (ישעיה ל"ח) צו לביתך כי מת אתה ולא תחיה, אמר לו חזקיה לישעיה, ישעיה בנוהג שבעולם אדם שהולך לבקר את החולה אומר לו מן השמים ירחמו עליך והרופא הולך אצלו ואומר לו מילתא פלוני אכול ופלוני לא תאכל, הדין תשתה והדין לא תשתה, ואפילו שיראה אותו נטוי למות אינו אומר לו צו לביתך שלא יחלש דעתו, ואתה אומר לי צו לביתך כי מת אתה ולא תחיה. קהלת רבה פרשה ה:ו

Similarly you find with Hezekiah, king of Judah, that at the time he became sick, the Holy One, blessed be He, told Isaiah, "Go tell him: Set your house in order because you are [considered] dead and will not live." Hezekiah replied to Isaiah, "Isaiah, common custom has it that someone who comes to visit the sick tells him, 'Heaven should have mercy upon you.' A doctor visits him and gives him the advice: Eat this and don't eat that. Drink this don't drink that. Even if he sees him close to death, he doesn't tell him: Set your house in order [because you are ready to die], so as not to disturb his state of mind. But you said to me: Set your house in order because you are [considered] dead and will not live." **Koheles Rabbah 5:6**

V. The Best Doctors

A.

טוב שברופאים לגיהנם. קדושין פב.

טוב שברופאים לגיהנם- אינו ירא מן החולי ומאכלו מאכל בריאים ואינו משבר לבו למקום ופעמים שהורג נפשות ויש בידו לרפאות העני ואינו מרפא. רש"י שם

The best of doctors are destined for Gehinna (Purgatory). **Kiddushin 82a**

Being unafraid of sickness they are haughty before the Almighty. Again, their treatment is sometimes fatal; while on the other hand, by refusing treatment to the poor they may indirectly cause their death. **Rashi ibid.**

B.

אבא אומנא הוה אתי ליה שלמא ממתיתבא דרקיעא כל יומא, ולאביי כל מעלי יומא דשבתא, לרבא כל מעלי יומא דכיפורי. הוה קא חלשא דעתיה דאביי משום דאבא אומנא. אמרו ליה: לא מצית למיעבד כעובדיה. ומאי הוה עובדיה דאבא אומנא? דכי הוה עביד מילתא הוה מחית גברי לחוד ונשי לחוד, ואית ליה לבושא דאית ביה קרנא דהוות בזיעא כי כוסילתא. כי הוות אתיא ליה איתתא הוה מלביש לה, כי היכי דלא ניסתכל בה. ואית ליה דוכתא דצניעא דשדי ביה פשיטי דשקיל. דאית ליה - שדי ביה, דלית ליה - לא מיכסיף. כי הוה אתרמי ליה צורבא מרבנן אגרא מיניה לא שקיל, ובתר דקאי - יהיב ליה פשיטי, ואמר ליה: זיל בריא נפשך. יומא חד שדר אביי זוגא דרבנן למיבדקיה, אותבינהו, ואכלינהו, ואשקינהו, ומך להו ביסתרקי בליליא. לצפרא כרכינהו ושקלינהו, וקמו ונפקו להו לשוקא, ואשכחינהו. אמרו ליה: לשיימיה מר היכי שווי? - אמר להו הכי והכי. אמרו ליה: ודלמא שווי טפי, - אמר להו: בהכי שקלינהו. אמרו ליה: דידך ניהו ושקלינהו מינך. אמרו ליה: במטותא מינך, במאי חשדתינך? - אמר להו: אמינא פדיון שבויים איקלע להו לרבנן, ואכסיפו למימר לי. אמרו ליה: השתא נשקלינהו מר - אמר להו: מההוא שעתא אסחתינהו מדעתאי לצדקה. תענית דף כא, כב.

Abba was a cupper and daily he would receive greetings from the Heavenly Academy. Abaye received greetings on every Sabbath eve, Rava on the eve of every Day of Atonement. Abaye felt dejected because of [the signal honor shown to] Abba the Cupper. People said to him: This distinction is made because you cannot do what Abba does. What was the special merit of Abba the Cupper? When he performed his operations he would separate men from women, and in addition he had a cloak which held a cup [for receiving the blood] and which was slit at the shoulder and whenever a woman patient came to him he would put the garment on her shoulder in order not to see her [exposed body]. He also had a place out of public gaze where the patients deposited their fees which he would charge; those that could afford it put their fees there, and thus those who could not pay were not put to shame. Whenever a young scholar happened to consult him not only would he accept no fee from him but on taking leave of him he also would give him some money at the same time adding, Go and regain strength therewith. One day Abaye sent to him two scholars in order to test him. He received them and gave them food and drink and in the evening he prepared woolen mattresses for them [to sleep on]. In the morning the scholars rolled these together and took them to the market [for sale]. There they met Abba and they said to him, "Sir, value these, how much they are worth?" He replied, "So-and-so much." They said to him, "Perhaps they are worth more?" He replied, "This is what I paid for them." They then said to him, "They are yours, we took them away from you; tell us, pray, of what did you suspect us." He replied, "I said to myself, perhaps the Rabbis needed money to redeem captives and they were ashamed to tell me." They replied, "Sir, take them back." He answered, "From the moment I missed them I dismissed them from my mind and [I devoted them] to charity." **Taanis 21b, 22a**

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Series III Lecture #8B

**THE MEDICAL CONTRIBUTIONS OF
MAIMONIDES AND NACHMANIDES**

PART I. MAIMONIDES AND THE ART AND SCIENCE OF MEDICINE

I. The Purpose of the Practice of Medicine - A Sound Mind in a Sound Body

A.

ותכלית הכונה בבריות גופו לקנות חכמה . . . ועל זה ההיקש יש למלאכת הרפואה מבווא גדול מאד במעלות השכליות והמדדות ובידיעת הש"י . . . ולא תהיה אז כאריגה וכנגרות. פירוש המשניות פרק ה הקדמה למסכת אבות

The purpose of maintaining bodily health is to acquire wisdom [thereby]. . . . Accordingly, the practice of medicine is a tremendous gateway into the heights of intelligence, character refinement, and knowledge of G-d. . . . In this way it does not then remain [just another craft] like weaving or carpentry. **Maimonides' Commentary to the Mishna. Chapter 5 of the Introduction to the Tractate Avos**

B.

הואיל והיות הגוף בריא ושלם מדרכי השם הוא, שהרי אי אפשר שיבין או ידע דבר מידיעת הבורא והוא חולה, לפיכך צריך להרחיק אדם עצמו מדברים המאבדין את הגוף ולהנהיג עצמו בדברים המברין והמחלימים. משנה תורה הלכות דעות ד:א

Since having the body healthy and sound constitutes a [fulfillment of the commandment "to] walk in the ways of G-d", for it is impossible to understand or know anything of the knowledge of the Creator when one is sick, it is obligatory for a person to distance himself from things that harm the body and accustom himself to things that heal and fortify it. **Mishneh Torah Hilchos Deos 4:1**

C. Unfortunately, his (referring to Maimonides himself) own health is poor and his bodily constitution is weak. When already in his young days (his health was poor), how much more so in his old age does it hinder him from many pleasures. I do not mean pleasures, rather noble accomplishments, the greatest and highest of which is the dedication to the service of our L-rd. **Medical Responsa 22**

II Psychosomatic Medicine

A. Just as body humors influence man's virtues, so too, do virtues influence humors. He in whom bile liquids prevail will be angry and in he who is greatly angered bile liquids will be produced. **Aphorisms 7:20**

B. Anxieties represent pain of the soul. Thoughts and meditations are the physical exercise of the soul. **Aphorisms 8:31**

C. Thinking pleasurable thoughts will gladden the soul and stimulate it and thus cause an expansion of natural warmth. Conversely, a painful or angry thought will compress the soul and cause a contraction of natural warmth. **Aphorisms 8:32**

D. As for the effect of psychic moods it is generally acknowledged that the impact of mental suffering, agitation, and obstinacy is to impair mental activity and physical well-being so much so that one's appetite for food is completely lost when in mental anguish, fear, mourning, distress. In such a condition a man cannot even use his voice properly because his agitation affects his respiratory organs and he cannot exercise them at will. The weight of the accumulated gas residue within him keeps him from walking erect, standing in an upright position and inhaling a sufficient volume of air. He experiences difficulty in exercising his other organs as well. Should this condition endure a man cannot avoid falling ill and if it takes on a chronic character, death is not long in coming. All this is universally known and should not detain us here. On the other hand, gaiety and liveliness have the opposite effect; they gladden the heart, stimulate the movement (circulation) of the blood and the degree of mental activity stemming from such a condition is in some cases among the highest. **Treatise on Asthma 8:2**

III. Exercise

A. The most beneficial of all types of exercise is physical gymnastics to the point that the soul becomes influenced and rejoices, such as hunting and ball playing, because emotions of happiness often suffice to heal just by their presence. Thus, rejoicing and happiness alone will make many people's illness milder. For others, both the illness on the one hand as well as the emotional upset that led to it disappear. **Aphorisms 18:2**

B. He who customarily exercises before meals need not take any long and detailed precautions [regarding his habits] . If the exercise greatly exerts him, then a satisfactory diet alone will no longer suffice [for the maintenance of his health] and he will then also need to consume healing medications. **Aphorisms 18:1**

C. When our Master mentioned that he is overcome with fatigue and weariness after physical exercise, the cause for this is the suspension and omission (of regular exercise). Should (your highness) resume it again gradually, a little at a time, then he will achieve as much strength and vitality as one should find at the end of any physical exercise, provided the exercise is carried out within proper limits. **Medical Responsa 18**

IV. Ecology

A. The first thing to consider in this respect is the provision of fresh air, clean water, and a healthy diet. **Treatise on Asthma 13:1**

B. The relation between the air in a town and in its streets and that found in the open country may be compared to the relation between grossly contaminated, filthy water and its clear, lucid counterpart. Town air is stagnant, turbid, and "thick", the natural result of its big buildings, narrow streets, the refuse of its inhabitants, their corpses and animal carcasses, food gone bad and the like. This air the winds carry stealthily inside the houses and many a man become ill even without noticing it. . . . **The concern for clean air is the foremost rule in preserving the health of one's body and soul. Treatise on Asthma 13:4**

C. The worst climate in any country is that which is closed to easterly winds, and where raw and cold winds prevail. **Aphorisms 3:25**

V. Don't Call the Doctor!

A. However, even with the greatest care and observance of all the rules some trouble is bound to come; things will happen which are wholly unpredictable. Thus, e.g., one day one's stool becomes hardened, the next it occurs too often, or there is a mild headache, eventually pain in other parts of the body. In such cases prudence is advocated and no medicine taking attempted. **We have it on authority of the leading physicians of all times that in such mild cases nature does well without outside help and there is no need to support her with medicines.** A normal, healthy conduct of life is quite sufficient; otherwise, once started with the treatment of relatively mild cases, one of two evils is a sure outcome: either a mistake is made and the therapy applied proves to be contrary to the course of nature, thus impeding the cure and aggravating the pain, or the right thing is done and disorder guided in its normal channels, thereby teaching nature lazy ways and not to exert herself in the absence of external help. . . . Should the organ be left in peace it recovers by itself, dries, and regains its normal function. However, when it is helped along with medicines at the time of its weakness it soon becomes a habit with it always to depend on a stimulant from the outside. **This explains why it is important not to tamper with any organ and not to worry about it.** This rule holds good in all cases where no danger is to be feared. **Treatise on Asthma 13:5**

B.
 כל המנהיג עצמו בדרכים אלו שהורינו אני ערב לו שאינו בא לידי חולי כל ימיו עד שיזקין הרבה וימות ואינו צריך לרופא ויהיה גופו שלם ועומד על בוריו כל ימיו, אלא אם כן היה גופו רע מתחילת ברייתו, או אם היה רגיל במנהג מן המנהגות הרעים מתחילת מולדתו, או אם תבא מכת דבר או מכת בצורת לעולם. הלכות דעות פרק ד הלכה כ

I guarantee anyone who conducts themselves in these ways [that were outlined in chapter four of Hilchos Deos] that he will never become afflicted with illness all the days of his life until he ages greatly and dies. He will not require a physician, and his body will be complete and remain healthy all his life unless he suffered from a genetic weakness, or unless he became accustomed to one of the bad habits from the onset of his youth, or unless the plague of pestilence or the plague of drought comes onto the world. **Hilchos Deos 4:20**

C.

כל מקום שאין בו רופא, אחד הבריא ואחד החולה אין ראוי לו לזוז מכל הדרכים האלו שנאמרו בפרק זה, שכל אחד מהן לאחרית טובה מביא. הלכות דעות פרק ד הלכה כב

In any place where there is no physician, both the healthy and sick should not deviate from the rules that we have prescribed in this chapter, because each and every one of them [if observed correctly] will produce a beneficial outcome. **Hilchos Deos 22**

D. The rule laid down by the great masters of medicine: This is that **anything that might be cured with diet should not be treated by any other means. When this fails mild drugs should be used and anything which might be cured with simple remedies should not be treated with combined remedies**, and even then only the least complicated should be used. **Treatise on Asthma 13:45**

VI. Advice to the Physician

A. But nobody can be called a good physician who observed or witnessed some facts without having engaged in their theoretical study. Because medicine is not a craft like carpentry or weaving which can be acquired by practice. It is gaining perfection by changing circumstances. Training in this art implies most often a combination of practice and theory. Any sick individual presents new problems. One can never say that one disease is just like the other. **Treatise on Asthma 13:30**

B. There is a general rule, and I have seen great physicians acting on it (which is also in keeping with the medicine of Hippocrates and Galen) that **the physician should not treat the disease but the patient** who is suffering from it. **Treatise on Asthma 13:30a**

C. Another thing I learned in Egypt is that **it seldom happens . . . that one and the same physician should treat a patient from beginning to end.** In most cases they run from doctor to doctor, sometimes a patient, if able to afford it, is treated simultaneously by ten doctors not knowing about each other. Thus the patient leads the doctor astray by telling him he does everything ordered. **The patient or the person in charge of him listens to what each doctor has to say, decides who is right and takes the medicines which he decides are the best.** But the worst thing is the confusion of the patient himself who can hardly know which physician is right. When he decides in favor of one of them he is plagued by doubt thinking that the other may be right. **Another cause for trouble is the doctor's confusion.** Since, when conducting his treatment from beginning to end he is in a position to stick to a method which has proved successful or to adopt another method if the the opposite is true. **The third risk is the mutual incrimination of the doctors.** Each one of them speaks ill of his colleagues and puts the blame on them. **The fourth risk lies in the doctor's indifference to the case and his reliance on others,** reasoning thus: in case of faulty treatment he would not be the only one called into account, and if successful not the only one to be credited. **Therefore he would not take great pains to guide the patient according to his best knowledge because he knows others would also be consulted.** **Treatise on Asthma 13:47**

D. However, when they are gathered together, in consultation . . . comparing their observations and deliberating on the best course to be taken, it is highly advisable and becoming. The patient has the benefit of the sum of their knowledge and ability, since no man can remember everything he learns and this art is not easy for its votaries, especially where memory is concerned, which has nothing to do with intelligence. It may well happen that a physician should not be able to muster on the spot everything he might require for his patient. However, when several come together, they remind and assist each other to arrive at the desired end and so the best medical treatment is assured by use of the collegium. **Treatise on Asthma 13:49**

E. Says the Author: I would like to add a fourth cause [why physicians quarrel]. This is the force of habit, the tendency to cling to preconceived ideas, the inertia of one's acquired habits, irrespective of whether they are things or ideas. Man is inclined to profess those opinions in which he was reared and which became a habit with him, a second nature. Another point of view is abhorrent to him even if it surpasses his own accuracy. **Treatise on Asthma 13:51**

VII. A Maimonides Medical Sampler

A. [**Diabetes** was rare in Europe] However, here in Egypt, in the course of approximately ten years, I have seen more than twenty people who suffered from this illness. This brings one to the conclusion that this illness occurs mostly in warm countries. Perhaps, the waters of the Nile, **because of their sweetness, may play a role in this. Aphorisms 8:69**

B. **Leprosy and carcinomatous inflammation** can be healed at their beginning by means of medications which excrete the black liquids, and by the introduction by the patient of a good diet which will produce excellent blood. . . . we have had numerous opportunities to see cases of leprosy helped by this type of diet. **Aphorisms 9:107 .**

C. Do not consider arterial [blood] movement in three dimensions as movement of a cubic form or a pointed shape called a cone and the like, but consider it as a movement in one direction as the movement of a ball so that the movement of the artery which produces sensation **makes a complete revolution. Aphorisms 4:44**

D. When someone is bitten, immediate care should be taken to tie the spot above the wound as fast as possible to prevent the poison from spreading throughout the body; in the meantime, another person should make cuts with a black lancet directly above the wound, suck vigorously with his mouth, and spit out. Before doing that, it is advisable to disinfect the mouth with olive oil, or with spirit in oil. . . . Care should be taken that the sucking person has no wound in his mouth, or rotten teeth. . . . should there be no man available to do the sucking, cupping-glasses should be applied, with or without fire; the heated ones have a much better effect because they combine the advantages of sucking and cauterizing at the same time. . . . Then apply the great theriac. . . . Apply to the wound some medicine which should draw the poison out of the body. **Treatise on Poisons and Their Antidotes 1:1**

E. It is therefore advisable that man should handle these measures *prophylactically* and fumigate all places infested by any kind of poisonous creatures, for the superiority of Homosapiens lies in that he can choose the means whereby he might forestall, treat and cure the ills that afflict the body. **However, there is *no absolute security but in trust in the grace of G-d, the Exalted.* Treatise on Poisons and Their Antidotes 6:6**

VIII. The Dedicated and Humble Physician

A. I dwell at Mizr (Fostat) and the Sultan resides at Kahira (Cairo); these two places are two Sabbath days' journey (about one mile and a half) distant from each other. My duties to the Sultan are very heavy. I am obliged to visit him every day, early in the morning; and when he or any of his children, or any of the inmates of his Harem, are indisposed, I dare not quit Kahira, but must stay during the greater part of the day in the palace. It also frequently happens that one or two of the royal officers fall sick, and I must attend to their healing. Hence, as a rule, I repair to Kahira very early in the day, and even if nothing unusual happens, I do not return to Mizr until the afternoon. Then I am almost dying with hunger. I find the ante-chambers filled with people, both Jews and Gentiles, nobles and common people, judges and bailiffs, friends and foes - a mixed multitude, who await the time of my return.

I dismount from my animal, wash my hands, go forth to my patients, and entreat them to bear with me while I partake of some slight refreshment, the only meal I take in the twenty-four hours. Then I attend to my patients and write prescriptions and directions for their several ailments. Patients go in and out until nightfall, and sometimes even, I solemnly assure you, until two hours and more in the night. I converse with and prescribe for them while lying down from sheer fatigue, and when night falls I am so exhausted that I can scarcely speak.

In consequence of this, no Israelite can have any private interview with me, except on the Sabbath. On that day the whole congregation, or, at least the majority of the members, come to me after the morning service when I instruct (advise) them as to their proceedings during the whole week; we study together a little until noon, when they depart. Some of them return, and read with me after the afternoon service until evening prayers. In this manner I spend the days. I have here related to you only a part of what you would see if you were to visit me. **A Letter Written by Maimonides to Rabbi Shmuel Ibn Tibbon in the year 1199**

B. Having heard all this Your Highness should in no way conclude that I am the right man in whose hands you might place your body and soul for treatment. Heaven be my witness that **I myself know well that I belong to those who are not perfect in this art (medicine) and shrink from it (for lack of adequate experience), because it is enormously difficult to attain its end.** . . . Again, heaven be my witness that the words I say are not motivated by any modesty such as pious men resort to when deliberately understating their knowledge even if they are experts in their vocation and making little of their own deeds even when highly diligent and active. I state the truth as it is. **Treatise on Asthma 13:27**

PART II NACHMANIDES AND THE PRACTICE OF MEDICINE

היה סיני ועוקר הרים וכל דבריו כגחלי אש ועליו סומכים בכל גלילות קטלונאי כמשה מפי הגבורה. תשובות ריב"ש ס' תט"ו

He (Nachmanides) was Sinai (he had an immense knowledge of all Torah sources) and an uprooter of mountains (he had tremendous analytical and critical profundity) and all his words were like coals of fire (inspiring and piercing) and all of Catalonia and its adjacent areas relied upon him as if he would be Moses himself quoting the Almighty. **Responsa of Rivash 415**

I. When Doctors Disagree

הלכך במנין שוה ברופאים הולכין אחר חכמה ובקיאות, . . . מיהו אחד במקום שנים כיון שכולן רופאים ויודעים במלאכה זו, אין דבריו של יחיד במקום שנים. מ"מ במופלג מהם בחכמה חוששיין לדבריו להחמיר אפילו במקום שנים רבים. . . ומאי חומרא דהכא לנהוג בספק נפשות להקל ולהתעסק בחולה כל צרכו. תורת האדם כ"ו (דפוס מוסד הרב קוק)

Therefore when an equal number of physicians [disagree] we follow those that have superiority in wisdom and knowledge. . . However, when one physician disagrees with two, since they are all physicians and know this profession, the opinion of one does not outweigh the opinion of the two who are in disagreement [even though that one physician is slightly wiser than the other two]. **However, when the one dissenting physician is far superior in wisdom to his colleagues,** we take into consideration his words, when it involves a stringency, even when there are two or more against him. . . . The stringency we are referring to is to be lenient [in violating Shabbos] and to do all that is necessary for the ill person. **Toras HaAdam p. 26 (Mosad HaRav Kook)**

II. Saving the Life of a Fetus

ומסתברא כבעל הלכות שאם אמרה צריכה אני פשיטא דמאכילין אותה, אלא אפילו דראו אותה מתאוה לאותו הריח ופניה מוריקות מאכילין אותה דחוששיין לעיקור. ודקאמר נמי משום סכנת הולד שמע מינה אפי' ליכא למיחש מחללין. . . ואע"ג דתנן אהלות פרק ז האשה המקשה לילד מביאין סכין ומחתכין אותו אבר אבר יצא ראשו אין נוגעין בו שאין דוחין נפש מפני נפש. אלמא דמעיקרא דלית ביה משום הצלת נפשות ותנן נמי תינוק בן יום אחד ההורגו חייב. ודוקא בן יום אחד אבל עובר לא, וקרא נמי כתיב דמשלם דמי ולדות. אפילו הכי לענין שמירת שבת מחללין עליו, אמרה תורה חלל עליו שבת אחת שמא ישמור שבתות הרבה. הלכך אפי' בהצלת עובר פחות מבן ארבעים יום שאין לו חיות כלל, מחללין עליו כדעת בעל הלכות. שם כ"ח-כ"ט

The position of the Baal Halachos seems most reasonable and it goes without saying that if she (a pregnant woman who experiences a food craving on Yom Kippur) says that she must eat, we feed her. And even if we see her having this desire for the food she has just smelled and her face is pale, we feed her for we are afraid of an abortion. By the fact he says, "We are concerned for the life threatening situation of the fetus" we understand that

even though the mother would not be endangered, we still are required to violate {Yom Kippur}. . . . Even though we have learned in a Mishna in Ohelos in the seventh chapter, "For a woman who is experiencing a very difficult delivery we bring a knife and cut up the fetus limb by limb [in order to save the life of the mother]. If the head has already emerged we do not touch it for we do not push aside one life to save another. We see from this that a fetus before birth is not considered [worthy] of saving its life. We have also learned (Nidah 44a) that for killing a child [after birth] in its first day is a person put to death. We see from this that only when it is in its first day this applies and not for a fetus. In addition in Scripture it is written that the consequences of killing a fetus is [only] the payment of the fetus' worth [and not the death penalty]. Even so, regarding the observance and desecration of Shabbos the Torah says: violate one Shabbos [to save a life] because perhaps thereby he will observe many Shabboses. Therefore, even to save the life of a fetus less than forty days, who has no real status of life, we violate Shabbos for him, based on the opinion of the Baal Halachos. **Ibid. pp. 28-29**

III. A Moment of Life

בפרק יום הכפורים: מי שנפלה עליו מפולת ספק הוא שם ספק אינו שם, ספק חי ספק מת, מפקחין עליו מצאווהו חי מפקחים עליו ואם מת יניחוהו. מצאווהו חי מפקחים אפילו לחיי שעה. מיהו שמעינן דאמרינן אפילו לחיי שעה ומחללין שבת ועוברין על המצות להחיותו חיי שעה כשם שמחללין בחייו ימים הרבה. וחי בהם ולא שימות בהם קרינא ביה אפילו לחיי שעה. שם ל"ג

[We have learned] in the chapter Yom HaKippurim (Yoma 85a), "If a building collapsed on some one and we are not sure if he was there, or not or if he is dead or not, we uncover the rubble. If he was found to be alive, we complete the uncovering and if he died we leave him. [The Talmud comments:] If he was found alive, we uncover the rubble even to extend his life for only a short period." We learn from this, however, that even for a temporary extension of life, we violate Shabbos and violate all the mitzvahs of the Torah just as we would do to extend life for a prolonged period. The rule, "You live by the rules of the Torah but you don't die by them" applies even to temporary life. **Ibid. p. 33**

IV. The Responsibility to Treat a Patient

תנא דבי ר' ישמעל ורפא ירפא מכאן שניתנה רשות לרופא לרפאות פי' שמא יאמר הרופא מה לי בצער הזה שמא אטעה ונמצאתי הורג נפשות בשוגג, לפיכך נתנה תורה רשות לרפאות. . . אבל האי רשות רשות דמצווה הוא לרפאות וכלל פקוח נפש הוא. . . ואי אפשר לדעת אותן אלא ע"פ אותו חכמה. . . וש"מ כל רופא שיודע בחכמה ומלאכה זו, חייב הוא לרפאות. ואם מנע עצמו הרי זה שופך דמים. . . ואין לך ברפואות אלא סכנה מה שמרפא לזה ממית לזה. וזו שאמרו טוב שברופאים לגיהנם לגנות דרכן של רופאים בפשיעות וזדונות שלהם נאמר אבל לא שיהא חשש איסור בדבר. . . אלמא מצווה דרמיא עליה עבד והשבת אבידה דגופו היא. שם מ"א – מ"ג

The Tanna of the Yeshiva of Rabbi Yishmael taught, "From the [the verse,] 'You shall surely heal' we see that the Torah gave permission for a physician to heal." The explanation [for the need of a special verse] is so that a physician should not say, "Why do I need to put myself in this stressful situation? Perhaps I will err and I will be found to have accidentally killed someone." Therefore the Torah gave permission for the physician to heal. . . . That *permission*, however, is the permission to do a *mitzvah* of healing which is part of the general category of saving a life. . . . It is impossible to know [how to heal] without the wisdom [of the science of medicine]. . . . We learn from this that a physician who knows this science and craft is required to heal and if he holds himself back he is spilling blood. . . . [A physician is required to practice even though,] every branch of medicine carries with it the possible danger to life because that which heals one person can kill another. This is what is meant by the [hyperbolic] statement: The best doctors go to Purgatory (Kiddushin 82) to disparage the ways of the doctors in their negligence and malice but not to imply there is a hint of a prohibition therein. . . . We see from the above that the physician is fulfilling the commandment of "returning the person to himself" [by practicing medicine]. **Ibid. pp. 41-45**

V. Expertise

אלא מיהו דוקא בבקי וביודע בחכמה ובמלאכה זו ושאיין שם גדול ממנו אבל כל שאינו יודע בטיב מלאכה זו לא יהא לו עסק בהן. וכן אם יש שם גדול ממנו אסור לו להתעסק בהן כלל. . . . ואם נתעסק בהן בכלל שופך דמים הוא בוודאי. שם מ"ג – מ"ד

However, one should only practice if he is an expert and has full knowledge in this branch of science and there is no one [in the area] more qualified than him. Someone who is not an expert should have nothing to do with it. Similarly, if there is someone with greater expertise it is forbidden for him to practice. . . . and if he practices, it is in the category of spilling blood. **Ibid. pp. 43-44**

VI. Malpractice

ואם ריפא שלא ברשות ב"ד והזיק חייב בתשלומיהן בבקי וכ"ש באחד שאינו בקי. מ"ח

If he heals without the permission of the courts and causes damage, he is required to pay. This applies to an expert and most certainly to a non expert. **Ibid. p. 48**

VII. A Physician's Fees

ולענין שכר רפואה נראה לי דמותר ליטול מהן שכר בטלה וטרחה אבל שכר הלמוד אסור דאבדת גופו הוא ורחמנא אמר והשבותו לו. . . . וכן מי שיש לו סממנין וחברו חולה צריך להן אסור לו להעלות בדמיהן יותר מן הראוי. ולא עוד אלא אפילו פסקו לו בדמיהן הרבה מפני דוחק השעה שלא מצאו סממנין אלא בידו אין לו אלא דמיהן. . . . אבל אם התנה בשכר הרופא הרבה חייב ליתן לו שחכמתו מכר לו ואין לה דמים. שם מ"ח

Regarding payment [to a physician] it seems to me that it is allowed for him to take payment for his loss of potential income and for his exertion. It is forbidden, however, to take payment for teaching for this goes into the category of "returning a person back to himself" . . . It is forbidden to take advantage of a sick and needy person and charge more for pharmaceuticals. Even if the sick person, in desperation, agreed to pay more than the market value because he couldn't obtain drugs anywhere else, the agreement is not binding and he only has to pay him the fair market value. . . . If, however, he agreed to pay an exorbitant fee to the physician, he is required to pay that fee. This is because he was charged for the physician's wisdom which is priceless [and not for the medication which has a fixed price]. **Ibid. 48**

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TIME LINE

- 1135 **The birth of Moshe ben Maimon (Maimonides) - Cordova, Spain**
- 1148 **Almohad invasion. Rabbi Maimon together with his son Moshe flee.**
- 1158 **After wandering through southern Spain and northern Africa, they finally settle in Fez, Morocco**
- 1165 **Almohad conquest forces them to flee to the land of Israel.**
- 1166 **They finally settle in Egypt. Maimonides is eventually forced to turn to medicine as a livelihood after the death of his father and brother.**
- 1168 **Maimonides finishes his commentary to the Mishna**
- 1174 **Maimonides is appointed court physician to Vizier al Fadhil, during the absence of the Sultan, Saladin, during the Crusades.**
- 1178 **Maimonides completes his magnum opus, the Mishneh Torah.**
- 1190 **Maimonides completes the Moreh Nevuchim - Guide to the Perplexed.**
- 1193 **Saladin dies and is succeeded by Al Afdal Nur ad Din Ali.**
- 1194 **Moshe ben Nachman (Nachmanides) was born in Gerona, in the kingdom of Aragon, in northern Spain.**
- 1204 **Maimonides died in Egypt and was buried in Tiberias, Israel.**
- 1210 **Nachmanides begins to write his commentary, "Milchamas Hashem".**
- 1263 **Nachmanides' historic disputation with the Dominicans in Barcelona.**
- 1264 **In wake of the dispute, Nachmanides is forced to flee Barcelona.**
- 1267 **Nachmanides arrives in Acco.**
- 1270 **Nachmanides dies in Jerusalem and is buried in Chevron.**

Maimonides' Medical Writings

- 1) Treatise on Asthma 2) Poisons and their Antidotes 3) Aphorisms
- 4) Guide to Good Health 5) Commentary to the Aphorisms of Hippocrates
- 6) Treatise on Hemorrhoids 7) Treatise on Cohabitation 8) Medical Responsa
- 9) Glossary of Drug Names 10) Extracts from the Treatises of Galen