The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן שט"ז סעיף ח'

Overview

Siman 316 Seif 8:

One who traps one of the eight *sheratzim* is liable and one who wounds one of them is liable even if the blood does not exit its body and just gathers beneath its skin. Regarding other swarming creatures one is not liable for wounding it unless one draws blood and one who captures it for a need is liable but if he captures it without a need or without specific intent, he is exempt from liability although it is prohibited but according to Rambam he is liable.

- The eight *sheratzim* are subject to trapping since people would be interested in their hide but if one does not have that intent he is exempt since it would be a *melacha she'aina tzricha l'gufa*. Regarding other *sheratzim* one is not liable unless he had explicit intent to use it or if it is a species that is commonly trapped. (M.B. 28)
- Wounding is considered taking the soul from that place since the blood is the soul. (M.B. 29)
- One is certainly liable for wounding an animal. Liability occurs when one will make use of the blood for one's dog or something similar but otherwise the act is destructive and one is exempt. Some maintain that causing a wound is a constructive act since it weakens the animal making it easier to catch. There is a disagreement between Rambam (stringent) and Ra'avad (lenient) whether one who wounds a friend is liable and the issue is whether doing something destructive to calm down is constructive or destructive. All opinions agree, however, that it is prohibited; the issue is whether one is liable. It is prohibited to scratch a wound so that it bleeds and bloodletting for medicinal purposes is Biblically prohibited. There is a dispute whether removing a tooth is Biblically prohibited or only Rabbinically prohibited. (M.B. 30)
- Since the blood does not reabsorb one is liable for taking the soul from that place. (M.B. 31)
- Regarding other *sheratzim* that have thin skin and the blood becomes reabsorbed; one is not liable unless he draws blood. (M.B. 32)
- If one grabs a fish from a river he has violated the prohibition against trapping, even if he immediately places the fish into a bowl of water. If he leaves it out until it dies he has also violated the prohibition against killing it. (M.B. 33)
- Rambam maintains that one is liable for a *melacha she'aina tzricha l'gufa* but others contend that it is only Rabbinically prohibited. (M.B. 34)

Halacha Highlight

Administering injections

Shulchan Aruch Siman 316 Seif 8
והחובל בהם
And one who wounds them

Shulchan Aruch teaches that regarding the eight *sheratzim* mentioned in the Torah one is liable for wounding it even if one does not draw blood. The liability for wounding one of the eight *sheratzim* is that is considered "taking its soul" since the blood of a creature is considered its soul (מ"ב ס"ק כ"ט). For that reason whether one actually draws blood or whether the blood gathers beneath the skin (i.e., a black and blue mark) one is liable as long as it does not immediately reabsorb into the skin (מ"ב ס"ק ל"ב). Mishnah Berurah (סק"ל) notes that one is certainly liable for wounding an animal or bird since they all possess a hide where the blood could gather beneath its skin and will not become reabsorbed. The same principle applies to people and it is prohibited to strike another person and draw blood or even cause a black and blue mark. There is, however, a disagreement between Rambam and Ra'avad whether one who strikes another person to release anger is Biblically liable or not.

In the event that one lets blood for medicinal purposes when one is not dangerously ill, all opinions agree that he violates a Biblical prohibition since it is considered constructive and is considered a *melacha ha'tzricha l'gufa* since he desires to be wounded so that he will be healed. Rav Yechezkel Abramsky (שמירת שבת כהלכתה פל"ב סע' קנ"א) ruled that it is prohibited to give an injection directly into a vein. His reasoning is that before actually injecting the medicine, the one administering the injection draws a drop of blood into the syringe to confirm that the needle is actually in the vein. Rav Shlomo Zalman Auerbach (שש"כ שם) expresses uncertainty whether the blood that is drawn constitutes a *melacha ha'tzricha l'gufa* since one does not intend to use the blood; the blood is merely a sign of the correct placement of the needle. An injection that does not go into the vein may be administered on Shabbos even for someone who is not dangerously ill since it is not necessary to draw blood in the process (שש"כ שם).