

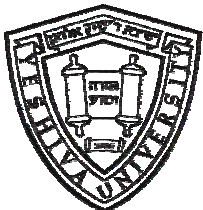
SHAVUOT-TO-GO

5766

Compiled and edited by
Rabbi Josh Flug

JEWISH PERSPECTIVES ON STEROIDS

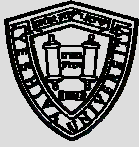
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ישיבת רבנו יצחק אלחנן
Rabbi Isaac Elchanan Theological Seminary

Max Stern Division of Communal Services
Center for the Jewish Future
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From the Desk of Rabbi Kenneth Brander

Dean, Yeshiva University's Center for the Jewish Future

Dear Friends,

It is my sincere hope that the Torah found in this virtual ספר may serve to enhance your יום טוב (holiday) and your לימוד (study).

We have designed this project not only for the individual, studying alone, but perhaps even more for a חברותא (a pair studying together) that wish to work through the study matter together, or a group engaged in facilitated study.

With this material, we invite you to join our Beit Midrash, wherever you may be, להגדיל תורה ולהאדירה (to enjoy the splendor of Torah) and to engage in discussing a matter that touches on a most contemporary matter, and which is rooted in the timeless arguments of our great sages from throughout the generations.

בברכת חג שמחה,

Rabbi Kenneth Brander

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Yehuda Chanales, Rabbi Daniel Z. Feldman, Rabbi Daniel Hermann, Jeremy Jozsef, Menachem Lazar, Rabbi Levi Mostofsky, Rabbi Dr. Edward Reichman, Rabbi Michael Rosensweig, Shalom Silbermintz, Aaron Srolowitz, Rabbi Yaakov Werblowsky and Penina Flug.

Please direct questions and comments to lectures@yu.edu

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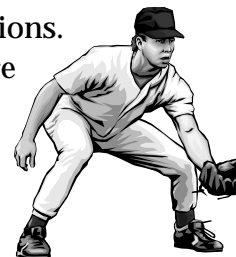
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Introduction

Baseball fans and non-baseball fans alike were recently exposed to the dark side of baseball—the discovery of widespread use of anabolic steroids by many players in order to improve performance. Suddenly, many of baseball's greats were under investigation for illegally using these medications.

While some of us are appalled by these revelations, some of us are asking: “What’s the big deal? We want to see baseball players play high caliber ball, and we’re getting even more for our money.”



This learning program will present you with an opportunity to delve into Torah perspectives on the ethics of the use of anabolic steroids both by professional athletes and by non-professional athletes. The program will focus on several different areas, some of which you may have thought about and some of which you haven't.

The following questions will be addressed:

- 1) Does the Torah view steroids as a valid replacement for conventional methods of athletic enhancement? Why is the use of steroids any different than the “blood, sweat and tears” approach? Where does one find relevant Torah sources on this issue?
- 2) Steroids can have serious side effects both short term and long term. Some of these side effects may present life-threatening danger. What does the Torah have to say about partaking in dangerous activities? How do we gauge what's considered dangerous in light of the fact that even a simple activity like crossing the street carries with it a certain element of danger?
- 3) In Major League Baseball, steroid use is a form of cheating. Is there a Torah prohibition that prohibits this type of cheating? Do we honor someone who cheated and achieved great feats? Do we nullify all of the records that he holds and bar him from the Hall of Fame?

Before you proceed, you might want to spend a few minutes discussing these issues with a friend or learning partner.



~ *Steroids: The Gain Without the Pain?* ~

As mentioned in the introduction, one area to explore regarding steroids is the distinction between steroid use and the “blood, sweat, and tears” approach. This section will not address the question of fair competition. Rather, it will focus on a possible inherent problem with steroids. We know that we are all born with God-given talents and weaknesses. Of course, we are not only permitted to develop our talents and diminish our weaknesses, we are obligated to do so.

Is this mandate to develop our talents limitless? Should we ever take a step back and say, “This is not what God intended for me, and pursuing this path would contradict the Divine plan”? In light of this question the distinction between use of steroids and exercise /practice may seem obvious: Steroid use is an artificial means of performance enhancement, whereas exercise and practice is a natural means of performance enhancement. Nevertheless, this distinction still requires further analysis. Let’s discuss the following scenario:

Steve is a sixteen-year-old suffering from a debilitating disease. His physician prescribes an anabolic steroid so that he can build up muscle tissue. If he decides to use the steroids, there is a good chance that he can restore his muscle functions. If he decides not to use the steroids, he will remain weak for an extended period of time.

If we accept the distinction between artificial and natural, it would be problematic for Steve to take medication in order to rehabilitate himself. Should we tell Steve to refrain from the steroids because it is obviously God’s will that Steve remain a weak individual?

Let’s accept the difference between natural and artificial and at the same time, keep Steve in mind. Let’s explore the sources trying to focus on what’s considered natural and what’s considered artificial and why there is such a distinction.

1. -----

If he shall stand and walk outside leaning on his staff he (the aggressor) is absolved from punishment but he shall pay for his loss of time and his medical expenses.

Shemot 21:19

אם יקום והתהלך בחוץ על משענתו ונקה המכה רק שבתו ותן ורפא רפא.

שמות כא:יט



The Torah is discussing a situation where one person strikes another person. If the victim survives but is injured, the aggressor must pay for his loss of time as well as his medical expenses.

2. -----

The School of R. Yishmael comments: and (he shall pay for) his medical expenses - from here we learn that permission is granted to a physician to heal.

Babba Kama 85a

דבי ר' ישמעאל אומר ורפא
ירפא מכאן שניתן רשות
לרופא לרפאות

בבא קמא פה.

The School of R. Yishmael notes that if the Torah is demanding that the aggressor pay the medical expenses of the victim, it must be permissible for the physician to heal the victim.

.....

Discussion Questions

.....

The conclusion of the School of R. Yishmael seems rather obvious. Do we really need a special derivation to allow a physician to practice medicine? If the School of R. Yishmael did not make this point, would we conclude that it is prohibited for a physician to practice medicine?



Let's keep these questions in mind as we explore the various approaches of the Rishonim to the statement of the School of R. Yishmael.

.....

3. -----

And we don't say, "The Almighty smote him and he is going to treat himself?"

Rashi, *Babba Kama 85a, s.v. Nitnah*

ולא אמרינן רחמנא מחי
ואיהו מסי.

רש"י ב"ק פה. ד"ה נתנה



According to Rashi, if the Torah did not provide us with this verse, what would we have thought? Now that the Torah does provide us with this verse, what is the conclusion?

4. -----

R. Ya'akov of Orleans asked: Isn't it obvious that a physician should be required to treat a patient ... and he answered that the physician is given permission to charge a patient for treatment for we would have otherwise thought that he should be obligated to treat a patient for free.

Tosafot HaRosh, *Berachot* 60a, s.v. *MiKan*

הקשה ה"ר יעקב מאורלייני"ש פשיטא למה לא ירפאו הרופאים הא כתיב והשבות לו ודרשינן זהו השבת גופו וכתוב לא תעמד על דם רעך ותירץ שניתן רשות לרפאו בשכר דסד"א שחייב לעשות בחנם מטעמא דפרישית.

תוס' הרא"ש ברכות ס. ד"ה מכאן

R. Ya'akov of Orleans is providing a different approach to the problem. According to R. Ya'akov of Orleans, does the School of R. Yishmael address the issue of contradicting the Divine plan? What is the issue that the School of R. Yishmael is addressing?

5. -----

In general then, when Israel is in perfect [accord with God], constituting a large number, their affairs are not conducted at all by the natural order of things, neither in connection with themselves, nor with reference to their Land, neither collectively nor individually, for God blesses their bread and their water, and removes sickness from their midst, so that they do not need a physician and do not have to observe any of the rules of medicine, just as He said, *for I am the Eternal that healeth thee.*

והכלל כי בהיות ישראל שלמים והם רבים, לא יתנהג ענינם בטבע כלל, לא בגופם, ולא בארצם, לא בכללם, ולא ביחיד מהם, כי יברך השם לחמם ומימם, ויסיר מחלה מקרבם, עד שלא יצטרכו לרופא ולהשתמר בדרך מדרכי הרפואות כלל, כמו שאמר כי אני ה' רופאך. וכן היו הצדיקים עושים בזמן הנבואה, גם כי יקרה עון שיחלו לא ידרשו ברופאים רק בנביאים. . . וזו היא כונתם באמרם ורפא ירפא מכאן שנתנה רשות לרופא לרפאות, לא אמרו שנתנה רשות לחולה להתרפאות, אלא כיון שחלה החולה ובא להתרפאות כי נהג ברפואות והוא לא היה מעדת השם שחלקם בחיים, אין לרופא לאסור עצמו מרפואתו, לא מפני חשש שמא ימות בידו, אחרי שהוא בקי במלאכה ההיא, ולא בעבור שיאמר כי השם לבדו הוא רופא כל בשר, שכבר נהגו.

רמב"ן ויקרא כו:יא



And so did the righteous ones act at the time when prophecy [existed], so that even if a mishap of iniquity overtook them, causing them sickness, they did not turn to the physicians, but only to the prophets, ...This is also the intent of the Rabbis' interpretation: "*And he shall cause him to be thoroughly healed.* From here [you deduce the principle] that permission has been given to the physician to be healed" **They did not say "permission was given to the sick to be healed" [by the physician], but instead they stated [by implication] that since the person who became sick comes [to the physician] to be healed, because he has accustomed himself to seeking medical help and he was not of the congregation of the Eternal whose portion in this life, the physician should not refrain from healing him;** whether because of fear that he might die under his hand, since he is qualified in this profession, or because he says that it is God alone Who is the Healer of all flesh, since [after all] people have already accustomed themselves [to seeking such help]. Translation taken from R. Charles Chavel (trans.), *Ramban: Commentary on the Torah* (Shilo Pub. House, 1974), ad loc.

Ramban, Vayikra 26:11

Ramban seems to take a very limited approach to the physician's license to practice medicine. What is his approach? How does Ramban's approach compare with that of Rashi and R. Ya'akov of Orleans?

6. -----

Permission was granted to the physician to heal injuries and wounds that are visible externally.

However, any ailment that is internal, the healing is in the hands of the Almighty.

Ibn Ezra, Shemot 21:19

שנתן רשות לרופאים לרפא המכות והפצעים שיראו בחוץ. רק כל חלי שהוא בפנים בגוף ביד השם לרפאתו.

אבן עזרא שמות כא:יט

How is Ibn Ezra's opinion similar to that of Ramban? How is it different?

R. Ovadia Yosef discusses a case in which someone is told by his physician that it is dangerous for him to fast on Yom Kippur. This individual doesn't want to eat on Yom Kippur and claims that he is going to let God determine his fate. One angle that R. Ovadia Yosef explores is the fact that according to Ramban and Ibn



Ezra, this individual's decision falls in line with the Torah's expectation. R. Ovadia Yosef responds:

7. -----

In truth, even Ramban agrees that nowadays - when all prophetic visions are not accessible and prophecy has ceased from Israel - we must follow the advice of physicians ... and even if R. Avraham Ibn Ezra disagrees, one cannot rely on his opinion as it contradicts all of our rabbinic decisors.

Yechaveh Da'at 1:61

באמת שגם הרמב"ן מודה שבזמן
הזה שנסתם כל חזון, והסתיימה
ונפסקה הנבואה מישראל, מחוייבים
להתנהג על פי עצת הרופאים ...
ואפילו אם היה רבי אברהם אבן
עזרא חולק על זה, בודאי שאין
לסמוך עליו נגד דעת כל רבותינו
הפוסקים.

שו"ת יחווה דעת א:סא

According to R. Ovadia Yosef, the opinions of Ramban and Ibn Ezra are not considered normative opinions. R. Yosef concludes that this individual may not fast on Yom Kippur against the orders of the physician.

We have already established that R. Ya'akov of Orleans does not address the issue of contradicting the Divine plan. Removing the opinions of Rambam and Ibn Ezra from the equation, we are now left to analyze the opinion of Rashi. According to Rashi, the derivation of the School of R. Yishmael was necessitated by a premise (*hava amina*) that practice of medicine contradicts the Divine plan. Rashi does not tell us the conclusion. Do we allow the physician to practice medicine simply because we reject the notion that medicine is a contradiction of the Divine plan? Alternatively, do we accept the notion that there is a concern of contradicting the Divine plan, and the only reason why it is allowed is because the Torah specifically permits it? In other words, now that we know the conclusion of the School of R. Yishmael, are there still certain treatments that contradict the Divine plan?



This question is posed by R. Moshe Feinstein in light of a comment of Tosafot:

8. -----

If one should ask, it can be derived from “*rapo*” alone (and why does the Torah state “*v’rapo yirape*”)? One can answer that from “*rapo*” alone we would have only derived the permissibility of the physician to heal man-inflicted wounds, but we would have thought that “God-inflicted” illnesses would appear as if contradicting the decree of the King. [The additional “*yirape*”] teaches that this too is permitted.

Tosafot, *Baba Kamma* 85a, s.v. *Shenitna*

וא"ת והא מרפא לחודיה שמעינן ליה וי"ל דה"א ה"מ מכה בידי אדם אבל חולי הבא בידי שמים כשמרפא נראה כסותר גזירת המלך קמ"ל דשרי.

תוספות בבא קמא פה. ד"ה שניתנה

R. Moshe Feinstein addresses a case of someone who was instructed by a physician that he must eat on Yom Kippur. This patient wanted to know if it is permissible to insert an intravenous (IV) tube which would allow him to fast on Yom Kippur. R. Feinstein, for numerous reasons, prohibits insertion of the IV tube. One of the reasons he gives is the following:

9. -----

Perhaps there is also a prohibition in doing this, for Tosafot writes regarding the derivation of R. Yishmael (etc.) ... It is possible that in conclusion that which the Torah permits and obligates (the physician) to heal is not because it is not considered a contradiction to the decree of the King – (The approach that it is not considered a contradiction of the Divine plan is) based on the assumption that the decree of the King only applies until the proper physician and medicine is sought out (and the purpose of the decree was) to instill fear in the individual that he may not survive

ומסתפקנא דאולי יש גם איזה איסור בזה, דהא התוספות ב"ק דף פ"ה כתבו על הא דדרשת ר' ישמעאל שניתן רשות לרופא לרפאות הוא דוקא מדתנא ביה קרא ורפא ירפא דמה שלא שמעינן מרפא לחודיה דהו"א ה"מ מכה דבידי אדם אבל חולי הבא בידי"ש כשמרפא נראה כסותר גזירת המלך קמ"ל דשרי, וא"כ אפשר שמה שהתורה התירה וגם חייבה לרפא אינו משום דקמ"ל דלא הוי כסותר גזירת המלך, מטעם דאמרינן דגזירת המלך היתה רק שיחלה עד שימצאו את הרופא והרפואה שיצטרך ושיהיה לו פחד שמא לא יתרפא ואם עולה הרפואה להוצאת ממון הוא גם להפסידו בממון יחד עם צער הגוף, אלא שאף שהוא בעצם כסותר גזירת המלך



and in situations where he spends money (the purpose of the decree was) to cause him a loss of money in addition to the physical pain (involved in the treatment). Rather (the conclusion is that) even though the practice of medicine is a contradiction of the Divine decree, the Torah allows the practice of medicine and obligates treatment, similar to the permissibility and the obligation to pray (whose purpose is) to nullify the Divine plan as we find in all of the prayers throughout the Scriptures. And even in situations

where we don't know the Divine plan, there is still an obligation to pray. The same applies to the Torah's permissibility to heal with all different forms of medicine in order to nullify the Divine plan and this is one of the secrets of God that we don't know. **For this reason it is possible that the Torah only permitted contradiction of the Divine plan for the purpose of healing an ailing individual, and one should not apply this permissibility to allow someone to fulfill the mitzvah of fasting on Yom Kippur since it is a contradiction of the Divine plan being that the King does not want this person to fast.**

התירה תורה לרפאותו וגם חייבה, וכמו שמותר וגם חייבין להתפלל לבטל גזירת המלך כדמצינו בכל התפלות שבקראי, ואף במקום שלא גילה השי"ת דעתו שיתפלל אף בלשון הניחה לי, כמו כן התירה תורה לרפאות בכל מיני סמים לבטל גזירתו בעניני טבעיים והוא מכבשי דרחמנא שאין לנו לידע, וא"כ אפשר שלא התירה תורה לסתור גזירת המלך אלא לרפאות את החולה ממחלתו ואין למילף שיהיה חדוש זה גם כדי שיוכל לקיים מצות הצום מאחר שהוא כסותר גזירת המלך שהמלך אינו רוצה שיצום.

Igrot Moshe, Orach Chaim 3:90

We can now understand the difference between natural means of improving one's game and artificial means. What is that distinction and how do we figure out if something is natural or artificial?

R. Moshe Feinstein was not the first to introduce this limitation to the physician's license to practice medicine. In a responsum authored in 1882, R. Menachem Mendel Panet, *Teshuvot Sha'arei Tzedek, Yoreh Deah* no. 143, states that the license to practice medicine is limited to treatment of disease and alleviation of pain. Use of medicine to treat a healthy individual for "the purpose of enhancement," is prohibited as there is no license to practice medicine in such a situation. R. Panet concludes that it is therefore prohibited to perform or receive any form of treatment of infertility, as this falls under the category of enhancement.

R. Eliezer Waldenberg, *Tzitz Eliezer* 11:41, agrees in principle with R. Panet's assertion that one may not practice medicine for enhancement purposes. However, he disagrees with R. Panet's application to fertility treatment. There is



halachic precedent for fertility treatment dating back to Ramban, who personally administered fertility treatments in his own medical practice. R. Waldenberg claims that fertility treatment does not overstep the boundaries of this limitation because fertility is essential for the propagation of the world. Nevertheless, R. Waldenberg does prohibit cosmetic surgery based on R. Panet’s suggestion that the license to practice medicine does not extend to enhancement.

While R. Feinstein seems to agree to the premise of R. Panet and R. Waldenberg, he clearly disagrees with both of their applications. R. Feinstein authored numerous responsa regarding fertility treatments (see for example, *Igrot Moshe, Even HaEzer* 1:7) and he also permits cosmetic surgery without mentioning the problem of contradicting the Divine decree (*Igrot Moshe, Choshen Mishpat* 2:66).

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Discussion Questions

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Why does R. Feinstein apply the physician’s license to practice medicine to fertility treatments and cosmetic surgery but not to insertion of an IV tube in order to allow someone to fast on Yom Kippur?



Think about this question and relate your answers to the use of anabolic steroids. Keep in mind that this is where we are going to figure out what is considered natural and what is considered artificial. Let’s also keep in mind the case of Steve.

.....

Here are a few possible ways to distinguish:

Approach 1

R. Feinstein allows medicine for any situation where an attribute of the patient is clearly below average. If a couple is suffering from infertility, they can be treated simply because most couples can bear children and the purpose of the medicine is to “heal” this deficiency.

If we assume this approach, what does that mean for biotechnology for enhancement purposes? What does it mean for cosmetic surgery?



Approach 2

Following *Approach 1* would lead one to the conclusion that cosmetic surgery is only permitted for someone who has a blemish that is clear and obvious. Yet, R. Feinstein does not make such a limitation in his responsum. This second approach is going to go back to the comments of Ibn Ezra who distinguishes between external treatments and internal treatments. This might also be the intention of Tosafot in distinguishing between wounds and diseases. As such, it is possible that cosmetic surgery, which is external, does not appear to contradict the Divine plan, while insertion of an IV tube does.

How does this approach relate to anabolic steroids? Is there a difference between creams and injections? How does this approach relate to fertility treatments?

It seems that since *Approach 1* is insufficient to answer R. Feinstein's permissibility of cosmetic surgery and *Approach 2* is insufficient to answer R. Feinstein's permissibility of fertility treatments, one would have to combine both approaches and assume that both are valid.

Approach 3

R. Feinstein, in concluding this section notes that the reason why the IV tube is a contradiction of the Divine plan is because "the King does not want this person to fast." Perhaps R. Feinstein's novel approach is limited to situations where it is clearly obvious what the Divine will is. In the case of the IV tube, R. Feinstein feels that it is clearly obvious that God does not want this individual to fast on Yom Kippur. Regarding fertility treatments and cosmetic surgery it not obvious what the Divine plan is.

Regarding anabolic steroids, is there any way to know if it is a contradiction of the Divine plan?

10. -----

Abaye said, "The laws about sorcery parallel the laws of [forbidden labor on] Shabbos. Some of them [i.e., some acts, are punishable] by stoning; some of them [leave the perpetrator] exempt [from stoning.] but [are nonetheless] forbidden; and some of them [are] permissible in the

בפרק ד' מיתות (ס"ז, ב') אמר אביי הלכות כשפים כהלכות שבת יש מהן בסקילה ויש מהן פטור אבל אסור ויש מהן מותר לכתחלה העושה מעשה בסקילה האוחז את העינים פטור אבל אסור מותר לכתחלה כדרב חנינא ורב



first place. One who [actually] performs an act [through sorcery is punished [by stoning]. One who [merely] creates an illusion [actions] is exempt [from stoning] but [his action is nonetheless] forbidden. [Actions that are] permissible in the first place [are those that are] like [the actions] of Rav Chanina and Rav Oshaya, who would delve into the laws of Creation every Erev Shabbos, and a calf which was at one-third of its maturity would be created for them, and they would eat it (*Sanhedrin* 67b).

This passage appears to condone some varieties of magic. After all, it claims that there are three forms of magic, and that one of them is permitted! God forbid that *Chazal* should have intended such a conclusion. What they permit is not a form of “magic” as we generally use the term. Nonetheless, the permissible activities of R’ Chanina and R’ Oshaya share a strong common element with impermissible magic. *Chazal* group then together because of this shared aspect ...

אושעיא כל מעלי שבתא הוו עסקי בהלכות יצירה ומיברי להו עיגלא תילתא ואכלי ליה ע"כ. ואמרו כיון שאמר ג' מיני כשפים הם יש ללמוד שדבר זה הוא כישוף והתירו כשפים, ודבר זה ח"ו לא עלה על דעתם, אף מפני שרז"ל מפרשים לשון כשפים שמכחישין פמליא של מעלה, פי' מה שנגזר מצבא עליונים על הארץ הם משנים ומבטלים, כי העולם הזה נוהג על ידי העליונים והכשפים מבטלים אשר נגזר מצבא עליונים בשביל כך נקרא המבטל גזירת עליונים אף ע"י שם בשלון כשפים ... ולפיכך ספר יצירה שבו הזכרת שמותיו ית' אשר בהם ברא עולמו, כי ביה ה' צור עולמים שכל העולם נברא בשמותיו, אין זה דבר יוצא מסדר עולם אף כי הוא מבטל טבעי הדברים והמנהג. דאלי"כ היה אסור התפלה כי התפלה מבטלת ג"כ גזירת עה"ז, וכן גם הדברים הטבעיים יכול לבטל ע"י שמו ית'. ודבר זה בודאי מותר, כי אל הש"י בודאי כח לבטל טבעי הדברים, ואין זה דבר יוצא מסדר העולם.

מהר"ל באר הגולה באר שני

Both permissible and impermissible theurgy have a very real impact on the ordinary world. In the words of *Chazal*, magic is able to “contravene the Heavenly Court.” God Himself gave us the ability to overturn some of the fixed laws of the “apparent” reality that we call Nature. In this sense, using one of the holy Names of God is “magic,” since it, too, can accomplish the unusual and unexpected.

God Himself taught Man about the connection between His Names, and the general, everyday laws of physical existence. Thus, he gave man access to the tools with which to accomplish unusual results. If you think about it, you will realize that this is no different from our everyday prayer. Do we not ask God to tear up Heavenly decrees? Do we not implore Him to act behind the scenes, and change what we might otherwise consider predictable and determined? Is not prayer itself a tool in our hands to countermand the “authority” of the Heavenly Courts and their Divinely inscribed set of laws? If we were to ban the use of *Sefer*



Yetzirah, we would have to ban all petitionary prayer as well! Yet, Hashem encourages us to pray. He expects us to utilize the efficacy of our entreaties to Him to reshape our world. He just suggests that we should often take up a spiritual hammer, rather than just a physical one, to bang the nails into the new structure.

Be'er HaGolah, adapted by R. Yitzchok Adlerstein (Mesorah Press, 2000).

Maharal is of the opinion that contradicting the Divine decree is only a concern within the context of use of supernatural powers. Even use of “supernatural powers”, when done within a certain framework, does not pose a problem. The practice of Kabbalah as well as prayer are two examples of permissible methods of using these powers. Both of these methods are considered reversing the Divine decree as opposed to contradicting the Divine decree.

Based on the comments of Maharal, R. Shmuel Vosner, *Shevet HaLevi* 6:198, disagrees with the entire premise of R. Panet (later adopted by R. Feinstein). According to R. Vosner, there is never a concern that medicine will constitute a contradiction of the Divine plan.

.....
Concluding Questions
.....

- 1) Does practicing medicine contradict the Divine plan?
- 2) Are there situations where use of medicine is prohibited?
What are those situations?
- 3) Do you see room to distinguish between the athlete who takes steroids to improve his performance and Steve who takes steroids to bring his muscles back up to par?





~ *There's No Easy Way Out* ~

It may seem appealing to an athlete that there are medicines to take that would improve his performance. But as one would expect, juicing up doesn't come without consequences. In males, use of anabolic steroids causes the user to look more feminine. In females, use of anabolic steroids causes the user to look more masculine. Furthermore, steroid use can lead to severe health problems, including permanent damage to the liver, heart, and kidneys, cancer, as well as psychiatric and behavioral disorders.

Are the benefits of anabolic steroids worth the risk involved in taking them? Is there a Torah prohibition that would disallow its use? If in fact, there is a prohibition of taking steroids because of its risk, does the same apply to someone who is taking steroids as part of his rehabilitation from a debilitating disease?

Let's explore the sources relating to self-endangerment and risk:

11. -----

5) Look! I have taught you statutes and laws as the ETERNAL, my GOD, commanded me, [for you] to do [them] within the land which you are entering to take possession of. 6) You shall safeguard [these laws] and do [them], for [through] this you [will be considered] wise and intelligent in the eyes of the nations, who will hear about all these statutes and say, 'This great nation is purely a wise and intelligent people.' 7) For which [other] great nation has GOD close to them [to accept their prayers], like the ETERNAL, our GOD, [is close to us] whenever we pray to him? 8) And which [other] great nation has statutes and laws, like all of this Torah that I am putting before you today? 9) **However, be careful and guard yourselves very well**, so that you do not forget the things you saw with your own eyes and that they are not

ה. ראה למדתי אתכם חקים ומשפטים כְּאֲשֶׁר צִוִּי ה' אֱלֹקֵי לַעֲשׂוֹת בְּן בְּקָרֵב הָאָרֶץ אֲשֶׁר אַתֶּם בָּאִים שָׁמָּה לְרִשְׁתָּהּ. ו. וּשְׁמַרְתֶּם וַעֲשִׂיתֶם כִּי הוּא חֻכְמַתְכֶם וּבִינְתְּכֶם לְעֵינֵי הָעַמִּים אֲשֶׁר יִשְׁמְעוּן אֶת כָּל הַחֻקִּים הָאֵלֶּה וְאָמְרוּ רַק עִם חֻכֶּם וְנִבּוֹן הַגּוֹי הַגָּדוֹל הַזֶּה. ז. כִּי מִי גוֹי גָדוֹל אֲשֶׁר לוֹ אֱלֹקִים קְרִבִּים אֵלָיו כִּהִי אֱלֹקֵינוּ בְּכָל קְרִיאָנוּ אֵלָיו. ח. וּמִי גוֹי גָדוֹל אֲשֶׁר לוֹ חֻקִּים וּמִשְׁפָּטִים צְדִיקִים כְּכֹל הַתּוֹרָה הַזֹּאת אֲשֶׁר אֲנִי נֹתֵן לְפָנֵיכֶם הַיּוֹם. ט. **רַק הַשְּׁמַר לְךָ וּשְׁמַר נִפְשְׁךָ מְאֹד**, פֶּן תִּשְׁכַּח אֶת הַדְּבָרִים אֲשֶׁר רָאוּ עֵינֶיךָ וּפֶן יִסּוּרוּ מִלְּבָבְךָ, כֹּל, יְמֵי חַיֶּיךָ וְהוֹדַעְתָּם לְבָנֶיךָ וּלְבָנֵי בְנֶיךָ. י. יוֹם אֲשֶׁר עֲמַדְתָּ לְפָנַי הִי אֱלֹקֵיךָ בְּחָרֵב בְּאָמַר ה' אֵלַי הִקְהֵל לִי אֶת הָעַם וְאִשְׁמַעַם אֶת דְּבָרַי אֲשֶׁר יִלְמְדוּן לִירְאָה אֶתִּי כָּל הַיָּמִים אֲשֶׁר הֵם חַיִּים עַל-הָאָדָמָה וְאֶת בְּנֵיהֶם יִלְמְדוּן. יא. וְתִקְרְבוּן וְתַעֲמְדוּן תַּחַת הַהָר וְהִקֵּר בְּעַר בְּאֵשׁ עַד לֵב הַשָּׁמַיִם חֹשֵׁךְ עָנָן וְעָרְפֶל. יב. וַיְדַבֵּר ה' אֵלַיכֶם מִתּוֹךְ הָאֵשׁ קוֹל דְּבָרִים אֲתֶם שֹׁמְעִים



removed from your heart your entire lifetime, and you shall inform your children and grandchildren of them: 10) The day that you stood before the ETERNAL, your God, at Chorev, when the ETERNAL said to me, "Assemble the people for Me and I shall let them hear My words, so that they learn to fear Me all the days that they are living on earth, and that they teach [this to] their children." 11) You then drew near and stood at the foot of the mountain, and the mountain was blazing with fire [reaching] as far as the very heart of the heavens, [with] darkness, cloud and [even] thick cloud. 12) The ETERNAL then spoke to you from within the fire; you were hearing the sound of words, but did not see any image, except sound. 13) He informed you of His covenant that He was commanding you to do, the Ten Proclamations, and wrote them down on two tablets of stone. 14) And at that time, the ETERNAL commanded Me to teach you [about] the statutes and the laws, for you to do them in the land to which you are crossing over so as to take possession of it. 15) **You shall be very careful of yourselves**, since you did not see any image on the day the ETERNAL spoke to you at Chorev from within the fire. – Translation taken from *The Torah* (Feldheim, 1999).

ותמונה אינכם ראים זולתי קול. יג. ויגד לכם את בריתו אשר צוה אתכם לעשות עשרת הדברים ויכתבם על שני לחות אבנים. יד. ואתי צוה ה' בעת ההוא ללמד אתכם חקים ומשפטים לעשותכם אתם בארץ אשר אתם עברים שמה לרשתה. טו. ונשמרתם מאד לנפשותיכם כי לא ראיתם כל תמונה ביום דבר ה' אליכם בחרב מתוך האש.

דברים ד', ה-טו

Devarim 4:5-15

What do the special warnings in verses 9 and 15 refer to? Do they refer to self-endangerment?

Let's take a look at the following story quoted in the Gemara:

12. -----

The rabbis taught: There was an incident regarding a pious individual that was praying on the road. A government official came and greeted this individual and he did not return the greeting. The official said: Fool! Does it not state in your Torah

תנו רבנן מעשה בחסיד אחד שהיה מתפלל בדרך ובא הגמון אחד ונתן לו שלום ולא החזיר לו שלום המתין לו עד שסיים תפלתו אמר לו ריקא והלא כתוב בתורתכם רק השמר לך ושמר נפשך וכתוב ונשמרתם מאד לנפשותיכם כשנתתי לך שלום למה לא החזרת לי שלום. **ברכות לב:**



“However, be careful and guard yourselves very well” and it also states “You shall be very careful of yourselves.” When I greeted you, how come you did not return the greeting?

Berachot 32b

How did the government official understand verses 9 and 15? Does it relate to self-endangerment? Is this his own interpretation, or did he know that in Jewish circles there was an additional level of interpretation?

The Gemara comments on the Mishna’s ruling that one who curses himself receives lashes:

13.

(He who curses) himself (is culpable) as it is stated
“You shall be very careful of yourselves.”

Sh’vuot 36a

עצמו דכתיב רק השמר לך
ושמור נפשך מאד

שבועות לו.

What type of prohibition does one violate when he curses himself? What do we see about the parameters of the prohibition of self-endangerment from this example?

There are two exceptions to the prohibition of self-endangerment:

Exception 1

14.

Samuel also said: The correct time for bloodletting is on a Sunday Wednesday and Friday, but not on Monday or Thursday, because a Master said: He who possesses ancestral merit may let blood on Monday and Thursday, because the Heavenly Court and the human court are alike then. Why not on Tuesday? Because the planet Mars rules at even-numbered hours of the day. But on Friday too it rules at even-numbered hours? Since the multitude are accustomed to it, 'the Lord preserveth the simple.

*Shabbat 129b. Translation taken from
The Babylonian Talmud (Soncino, 1938).*

אמר שמואל פורסא דדמא
חד בשבתא ארבעה ומעלי
שבתא אבל שני וחמישי לא
דאמר מר מי שיש לו זכות
אבות יקיז דם בשני
ובחמישי שבית דין של
מעלה ושל מטה שוין כאחד
בתלתא בשבתא מאי טעמא
לא משום דקיימא ליה
מאדים בזווי מעלי שבתא
נמי קיימא בזווי כיון דדשו
ביה רבים שומר פתאים ה'.

שבת קכט:



The Gemara explains that certain forms of self-endangerment are permissible based on the verse “*Shomer peta'im Hashem,*” God protects the simple (Tehillim 116:6). This leniency applies to risks that many people are willing to take.

Exception 2

15.

14) You must not withhold the wages of a poor or destitute hired worker, [whether he is one] of your brethren or of [the] proselytes who [live] in your land, [or one who lives] in [one of] your towns. 15) You shall pay his wages on the day [they are due], [so that] the sun not set with them [still unpaid], for he is a poor man and for [these wages] he puts his life [in danger]. And [let it] not [be that] he call out to the ETERNAL against you, and [that] you incur [the punishment for] a sin.

Devarim 24:14-15. Translation taken from *The Torah* (Feldheim, 1999).

יד. לא תעשק שכיר עני ואביון מאחיך או מגרך אשר בארצך בשעריך. טו. ביוםו תתן שכרו ולא תבוא עליו השמש כי עני הוא ואליו הוא נשא את נפשו ולא יקרא עליך אל ה' והיה בך חטא.

דברים כד: יד-טו

The Gemara offers an explanation to the Torah’s comment “and for [these wages] he puts his life [in danger]”:

16.

“And for [these wages] he puts his life [in danger].” Why did he walk up a ramp or hang from a tree and put his life on the line? Was it not for his wages?

Baba Metzia 112a

ואליו הוא נשא את נפשו מפני מה עלה זה בכבש ונתלה באילן ומסר את עצמו למיתה לא על שכרו.

בבא מציעא קיב.

R. Yechezkel Landau wrote a responsum regarding the permissibility of hunting animals for sport. One of the issues addressed in the responsum is self-endangerment. It is well known (just ask Vice President Cheney) that hunting can be a dangerous sport. R. Landau responds:





17.

How can a Jewish individual enter into a place full of wild animals? Even though the Torah allows a poor individual to do this for his livelihood – similar to those who travel the high seas to sell their wares – what they do is for their livelihood and they have no other option and the Torah states “and for [these wages] he puts his life [in danger],” to which our rabbis comment “Why did he walk up a ramp or hang from a tree and put his life on the line? Was it not for his wages?” But regarding someone who enters into a place of wild animals and places himself in danger and his main intention is not for livelihood but rather because of desires of the heart, he violates the dictum “You shall be very careful of yourselves.”

Noda B'Yehuda, Yoreh Deah

איך יכניס עצמו איש יהודי למקום גדודי חיות רעות ואף גם בזה מי שהוא עני ועושה זו למחייתו לזה התורה התירה כמו כל סוחרי ימים מעבר לים שכל מה שהוא לצורך מחייתו ופרנסתו אין ברירה והתורה אמרה ואליו הוא נושא את נפשו ואמרו רז"ל מפני מה זה עלה בכבש ונתלה באילן ומסר עצמו למיתה לא על שכרו כו', אבל מי שאין עיקר כוונתו למחייתו ומתאוות לבו הוא הולך אל מקום גדודי חיות ומכניס עצמו בסכנה הרי זה עובר על ונשמרתם מאוד כו'.

שו"ת נודע ביהודה יו"ד תנינא ס' י

R. Landau understands that the Torah uses the verse “and for [these wages] he puts his life [in danger],” to permit people to assume certain risks in order to maintain their livelihood. This includes risks that would otherwise constitute a violation of self-endangerment. Therefore, hunting for sport is prohibited, but hunting for one’s livelihood is permitted.

Discussion Questions

- 1) Do these leniencies apply to all different degrees of risk? Is one allowed to engage in Russian roulette for the purpose of his livelihood?
- 2) Are the two leniencies related?
- 3) If it is permissible to assume risk for the purpose of one’s livelihood, does that mean that a professional athlete may use steroids but an amateur may not?





R. Ovadia Yosef, *Yabia Omer* 3:7, notes that the Gemara only applies the principle of *Shomer peta'im Hashem* to a few cases. This principle is never applied to assuming risks for purposes where there is no real need to assume any risk. If we accept this premise, we can suggest that really both leniencies are one and the same. One can only assume risk if there is a pressing need to do so. This applies both to a laborer and to someone who is in another pressing situation.

R. Hershel Schachter, *B'Ikvei HaTzon*, no. 34 notes that there are three levels of risk:

- 1) There are activities that are clearly dangerous (like Russian roulette); these activities are outright prohibited.
- 2) There are activities that are not viewed as dangerous although there may be some remote possibility of danger; these activities are permitted and do not require the principle of *Shomer peta'im Hashem*.
- 3) There are activities which some view as dangerous and others do not; this is where the Gemara applies the principle of *Shomer peta'im Hashem*.

We can now come to a fuller understanding of the principle of *Shomer peta'im Hashem* as well as the verse “and for [these wages] he puts his life [in danger].” Regarding activities that are not inherently dangerous, one is permitted to weigh the potential risks against the benefits. If the benefit is minimal, the amount of risk one can take is minimal. If the benefit is great, the amount of risk one may take is greater.

How does this apply to anabolic steroids? Many of us value the importance of high quality ball-playing. But, in the greater scheme of things, the benefits of improving one's game should not outweigh the risks involved in taking steroids. Before engaging in any activity that has potential risks involved, it is incumbent upon us to ask: “Is this really worth it?”

On a professional level, the livelihood argument doesn't hold too much water. R. Landau's responsum is clear that the leniency to assume a certain degree of risk for livelihood is due to the fact that he needs the money in order to eat; if he doesn't take that risk he will have no livelihood. Is that the same as an athlete who takes steroids to make \$20,000,000 per year instead of \$5,000,000?



.....

Concluding Questions

.....

- 1) What are the risks associated with anabolic steroids?
- 2) Is it ever justifiable to take anabolic steroids?
- 3) Can we distinguish between taking anabolic steroids as part of rehabilitation from a debilitating disease and taking them to improve one's athletic ability?
- 4) Can you apply the *halachot* of self-endangerment to
 - a. Smoking (tobacco or marijuana)?
 - b. Sky-diving (with and without a parachute)?
 - c. Playing football?
 - d. Eating donuts loaded with saturated fat?





~ *Cheaters Never Prosper* ~

If the discussion of steroid use was limited to someone who wants to improve his golf game, we could stop here. However, most steroid use is for the purpose of improving one’s performance in competitive sports. Many, if not all, forms of organized sports prohibit their players from taking steroids. This section will discuss the following questions:

- 1) What exactly is the problem with taking steroids if it is against the rules of game?
- 2) If someone’s achievements were brought about by the use of steroids, should he be honored? Should he be stripped of all of the records and awards that he holds? Should he be eligible for the Hall of Fame?

You may have heard the term “*geneivat da’at*” in the context of a discussion about cheating. What is “*geneivat da’at*?” How does it relate to cheating?

Let’s examine the sources:

18.

Shmuel stated “It is prohibited to steal the mind of any individual.”

Chullin 94a

אמר שמואל אסור לגנוב דעת הבריות

חולין צד.

The case involves a Jewish person who gives a piece of meat whose *gid hanasheh* (sciatic nerve) was removed to a non-Jew. Rashi explains what it means to “steal the mind” of an individual:

19.

The non-Jew will think that the Jew really likes him and that’s why he exerted himself to totally remove the nerve to the point that his efforts are visible. But, in reality, he did not remove the nerve himself and (by giving him this piece of meat) he engenders false good will.

Rashi, *Chullin 94a*, s.v. *Mishum*

כסבור שישראל זה אוהבו מאד שתקנה וטרח בה ליטול גידה עד שנראית לעצמו ואח"כ נתנו לו והוא לא נטלו ונמצא מחזיק לו טובה חנם.

רש"י חולין צד. ד"ה משום

Rashi’s comment shed some light on the concept of *geneivat da’at*.



.....
Discussion Questions
.....

- 1) Does *geneivat da'at* apply whenever someone receives credit for something he didn't do?
- 2) The case discussed by Rashi seems to indicate that one can violate *geneivat da'at* without saying anything. Does this mean that someone can violate *geneivat da'at* passively, or do you have to do something active (like sending the meat) in order to violate *geneivat da'at*?
- 3) How does cheating relate to *geneivat da'at*?



.....
Let's examine another case presented in the Gemara. The Gemara discusses how one would announce in the market-place that some of the meat being sold is not kosher without losing the customers who would buy non-kosher meat (i.e. the non-Jews):

20.

What is the form of proclamation? R. Isaac b. Joseph said 'Meat has fallen into our hands for the army'. And why not proclaim 'Trefah (non-kosher) meat has fallen into our hands for the army'? They would not then buy it. Are we not then deceiving them? No. They are deceiving themselves.

Chullin 94b

היכי מכרזינן אמר רב יצחק
בר יוסף נפל בישראל לבני
חילא ולימא נפל טריפתא
לבני חילא לא זבני והא
קמטעי להו אינהו הוא
דקמטעו נפשייהו.

חולין צד:

The Gemara's introduction of the concept of "They are deceiving themselves" begs an obvious question: How does one determine when the "victim" is being fooled and when he is fooling himself?



21.

One should not give the impression that one is doing something for another, when he really isn't. For example: He should not urge his friend to eat with him when he knows that the person won't [accept his invitation]. He should not send gifts when he knows the person won't take them. He should not open a fresh barrel of wine, the remainder of which has been sold to a merchant, unless he informs his friend that it wasn't opened specifically for him. But if it is the kind of thing the friend should have realized, and he is fooling himself by thinking that it was done to honor him – for example, when a person meets his friend on the street, and the friend thought he had come specially to greet him – it is not necessary to inform him [otherwise].

Shulchan Aruch, Choshen Mishpat 228:6.
 [Translation taken from
<http://www.darchenoam.org/>]

ואף לגנוב דעת הבריות בדברים, שמראה שעושה בשבילו, ואינו עושה, אסור. כיצד, לא יסרהב (בחבירו) שיסעוד עמו, והוא יודע שאינו סועד, ולא ירבה לו בתקרובת והוא יודע שאינו מקבל, ולא יפתח חביות הפתוחות לחנוני, וזה סובר שפתחם בשבילו, אלא צריך להודיעו שלא פתחם בשבילו. ואם הוא דבר דאי בעי ליה לאסוקי אדעתיה שאינו עושה בשבילו, ומטעה עצמו שסובר שעושה בשבילו לכבודו, כגון שפגע בחבירו בדרך וסבור זה שיצא לקראתו לכבודו, אין צריך להודיעו.

שלחן ערוך חושן משפט רכח:ו

Shulchan Aruch implies that the gauge of *geneivat da'at* is the expectation of the “victim.” If the “victim” should have realized what’s going on, he is considered to be fooling himself. Otherwise, it is considered *geneivat da'at*.

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Discussion Questions

- 1) If an athlete is on steroids, who are the potential victims of his *geneivat da'at*? Is it the other players, the owners of the teams, or the fans?
 - 2) Are these “victims” fooling themselves into thinking that the player is actually better than he really is? Is there any false good will engendered by the player?
-

We need to explore one more aspect of cheating discussed by R. Moshe Feinstein:



22.

Regarding your question about that which you heard that in (some) yeshivot, (the administration) permits the students to steal the answers to the questions on the state's final examination (regents) in order to deceive (the state into) awarding a degree recognizing satisfactory completion of the material, this is prohibited not only because it is the law of the government, but also because it is violation of Torah law. This is not only *geneivat da'at* that is prohibited according to Shmuel ... it is also actual theft because when this person is seeking a job and his employer demands someone who satisfactorily completed his secular studies in high-school, he will show his employer his high-school diploma in order to procure the job and by doing so will violate the prohibition of monetary theft.

Igrot Moshe, Chosen Mishpat

הנה בדבר שאלתו על מה ששמע שבישיבות מתירין להתלמידים לגנוב את התשובות להשאלות במבחני הסיום שעושה המדינה (רידזענס) כדי להונות ולקבל את התעודות שגמרו בטוב, הנה דבר זה אסור לא רק מדינא דמלכותא אלא מדין התורה, ואין זה רק גניבת דעת שג"כ אסור כדאמר שמואל בחולין דף צ"ד ע"א שאסור לגנוב דעת הבריות ואפילו דעתו של עכו"ם וכ"ש הכא שהוא גניבת דעת לכולי עלמא אף לישראל, אלא דהוא גם גניבת דבר ממש דהא כשירצה לפרנסתו במשך הזמן להשכיר עצמו אצל אחד לעבוד בעסקיו ורוצים ברוב הפעמים במי שגמר היטב למודיו דחול והוא יראה לו התעודה איך שגמר בטוב ועל סמך זה קבלוהו שזהו גניבת ממון ממש.

אגרות משה חו"מ ב:ל

R. Feinstein's introduces a new angle to cheating. If there are monetary consequences to someone's involvement in cheating, the question extends beyond *geneivat da'at* and also includes actual monetary theft.

Let's reanalyze the question we asked in the last section: Who are the victims of *geneivat da'at* and who are the victims of actual theft? Is it the other players, the owners of the teams, or the fans?

Now let's deal with the question of honoring a cheater. Should he be stripped of records and awards that he holds? Should he be eligible for the Hall of Fame?



The Torah states:

23.

Do not indict the land in which you reside.
Bamidbar 35:33

וְלֹא תַחְנִיפוּ אֶת הָאָרֶץ אֲשֶׁר אַתֶּם בָּהּ.
במדבר לה:לג

The Midrash comments on this verse:

24.

This is a warning for flatterers.
Sifri Bamidbar no. 161

הרי זו אזהרה לחניפים.
ספרי במדבר פיסקא קסא

Discussion Questions

- 1) Why does the Torah prohibit flattery? Is it to avoid deceiving the person being flattered or is it to avoid deceiving others?
- 2) In what instances do you think flattery is prohibited?

Let's take a look at some sources:

25.

I am going to explain the meaning of flattery which the Torah warns of. Anyone who hears something despicable or improper and says that it is a good thing.
Sefer Yerei'im no 248

והריני מפרש פי' חנופה שהזהירה עליה התורה כל השומע דבר עולה ושאינו הגון או רואה דבר רע ואמר טוב הוא.
ספר יראים ס' רמח



26.

The first category consists of flatterers who recognize, see, or know of some wrong practice of their neighbor's and of his abiding by deceit, or of man's sinning against another through slander or through injurious words – and who smooth over his offenses with an evil tongue, saying “You have committed no wrong.” ...

The foolish flatterer is guilty of a grave transgression; for he is not jealous of truth, but abets falsehood; he calls what is bad, good, and turns darkness to light. And he places a stumbling block before the sinner in two respects: first, the sinner does not regret his evil, and second, he repeats his indiscretion the next day because the wicked flatterer praises him for having gratified his lust ... And though one praises the evildoer only for the good which he does, indeed, possess, and speak well of him to others to do justice to his good qualities, this too, is a grievous ill; for his mentioning the good and not the evil, and concealing his offenses, will cause the hearers to regard him as a righteous man and to accord him honor, this strengthening his hand.

The Gates of Repentance. Translation taken from R. Shraga Silverstein (Feldheim, 1967).

ענין הכת הזאת נחלק לתשעה חלקים : החלק הראשון - החנף אשר הכיר או ראה או ידע כי יש עול בכף חברו וכי החזיק בתרמית או כי יחטא איש בלשון הרע או באונאת דברים, ויחליק לו לשון הרע לאמר : לא פעלת און ... והנה זה ביד החנף האויל עון פלילי, כי לא יקנא לאמת, אבל יעזור אחרי השקר, ויאמר לרע טוב, וישם חשך לאור, גם נתן מכשול לפני החוטא משני פנים : האחד - כי איננו נחם על רעתו, והשני - כי ישנה באולתו ביום מחר, כי הלל רשע החנף אותו על תאות נפשו ... וגם כי לא ישבח את הרשע זולתי במה שנמצא בו מן הטוב ויליץ עליו בפני בני אדם להגיד לאדם ישרו. גם זו רעה חולה, כי בהזכירו את הטוב, ואת הרע לא יזכור ועל כל פשעיו יכסה, צדיק יחשב אצל השומעים, ויתנו לו יקר, וירים ידו וגבר.

**שערי תשובה לרבינו יונה,
שער ג', סי' קפז, קפט**

Based on these two sources, would you consider an athlete who took steroids a candidate for the Hall of Fame? Is induction into the Hall of Fame tantamount to hearing something despicable or improper and saying that it is good? What lesson does it teach others? Is there anything that this athlete can do to clear his name?



Let's take a look at the following story:

27.

It was said of R. Eleazar b. Dordia that he did not leave out any harlot in the world without coming to her.

Once, on hearing that there was a certain harlot in one of the towns by the sea who accepted a purse of *denarii* for her hire, he took a purse of *denarii* and crossed seven rivers for her sake. As he was with her, she blew forth breath and said: As this blown breath will not return to its place, so will Eleazar b. Dordia never be received in repentance. He thereupon went, sat between two hills and mountains and exclaimed:

O, ye hills and mountains, plead for mercy for me! They replied: How shall we pray for thee? We stand in need of it ourselves, for it is said, *For the mountains shall depart and the hills be removed!* So he exclaimed: Heaven and earth, plead ye for mercy for me!

They, too, replied: How shall we pray for thee? We stand in need of it ourselves, for it is said, *For the heavens shall vanish away like smoke, and the earth shall wax old like a garment.* He then exclaimed: Sun and moon, plead ye for mercy for me!

But they also replied: How shall we pray for thee? We stand in need of it ourselves, for it is said, *Then the moon shall be confounded and the sun ashamed.* He exclaimed: Ye stars and constellations, plead ye for mercy for me! Said they: How shall we pray for thee? We stand in need of it ourselves, for it is said, *And all the hosts of heaven shall moulder away.* Said he: The matter then depends upon me alone! Having placed his head between his knees, he wept aloud until his soul departed. Then a *bath-kol* was heard proclaiming: *'Rabbi Eleazar b. Dordai is destined for the life of the world to come!'* ... Rabbi [on hearing of it] wept and said: One may acquire eternal life after many years, another in one hour!

אמרו עליו על ר"א בן דורדיא שלא הניח זונה אחת בעולם שלא בא עליה פעם אחת שמע שיש זונה אחת בכרכי הים והיתה נוטלת כיס דינרין בשכרה נטל כיס דינרין והלך ועבר עליה שבעה נהרות בשעת הרגל דבר הפיחה אמרה כשם שהפיחה זו אינה חוזרת למקומה כך אלעזר בן דורדיא אין מקבלין אותו בתשובה הלך וישב בין שני הרים וגבעות אמר הרים וגבעות בקשו עלי רחמים אמרו לו עד שאנו מבקשים עליך נבקש על עצמנו שנאמר כי ההרים ימושו והגבעות תמוטינה אמר שמים וארץ בקשו עלי רחמים אמרו עד שאנו מבקשים עליך נבקש על עצמנו שנאמר כי שמים כעשן נמלחו והארץ כבגד תבלה אמר חמה ולבנה בקשו עלי רחמים אמרו לו עד שאנו מבקשים עליך נבקש על עצמנו שנאמר וחפרה הלבנה ובושה החמה אמר כוכבים ומזלות בקשו עלי רחמים אמרו לו עד שאנו מבקשים עליך נבקש על עצמנו שנאמר ונמקו כל צבא השמים אמר אין הדבר תלוי אלא בי הניח ראשו בין ברכיו וגעה בבכיה עד שיצתה נשמתו יצתה בת קול ואמרה ר"א בן דורדיא מזומן לחיי העולם הבא ... בכה רבי ואמר יש קונה עולמו בכמה שנים ויש קונה עולמו בשעה אחת ואמר רבי לא דיין לבעלי תשובה שמקבלין אותן אלא שקורין אותן רבי.

עבודה זרה יז.



Rabbi also said: Repentants are not alone accepted, they are even called 'Rabbi'! [Translation taken from R. I. Epstein (ed.), *The Babylonian Talmud* (Soncino, 1938), ad loc.]

Avodah Zarah 17a

There is a concept of repentance for one's sins. Repentance can be performed on a moment's notice. But does it earn someone honor for his achievements as a sinner?

Let's look back at the comments of Rabbeinu Yonah regarding the reason for the prohibition of flattery. Rabbeinu Yonah is concerned about two things: 1) Flattery prevents the sinner from realizing his sin; 2) Flattery teaches a message to others that the actions of a sinner can be overlooked. It would seem that if the athlete repents it would only mitigate the first concern. How would we deal with the second concern? If such an athlete dedicated a significant amount of time educating both youngsters and adults about the dangers of steroids and the evils of cheating should that earn him his place in the Hall of Fame?

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Concluding Questions
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- 1) What are some practical applications of *geneivat da'at* beyond cheating?
- 2) Is the prohibition of *geneivat da'at* part of the prohibition of theft or part of the prohibition of lying?
- 3) What do you think is the reaction of someone who finds out that he was a victim of *geneivat da'at*? Does it depend on the scenario?
- 4) What are your thoughts regarding an athlete (professional and non-professional) who takes steroids to improve his game? Are the terms *geneivah* and *geneivat da'at* relevant to this discussion?
- 5) What is the problem with flattery? Who are we concerned about? Is there any way for a sinner to repent and receive honors?