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Nedarim Daf 41

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Daf Notes is currently being dedicated to the neshamot of

Moshe Raphael ben Yehoshua (Morris Stadtmauer) o”h

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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

Aggadic Teachings

Rav Ami (*Ravin*) said in the name of Rav: What is meant by the following verse [Yechezkel 12:3]: *And you, son of man, make for yourself utensils of exile and go into exile (Hashem commanded Yechezkel to perform this action as a way of demonstrating to the Jewish people that they were destined to go into exile)? The utensils of exile (as means of survival) refer to a lamp (to provide light while one is eating supper), a plate and a mat (to eat upon).*

It is written [Devarim 28: 47 – 48]: *(Because you did not serve Hashem, amid gladness and goodness of heart, when everything was abundant, so you will serve your enemies whom Hashem will send against you, in hunger, and in thirst, in nakedness and) without anything.*

Rav Ami said in the name of Rav: This means: Without a lamp and a table.

Rav Chisda said: It means without a wife. Rav Sheishes said: It means without an attendant. Rav Nachman said: It means without understanding.

It was taught in a *braisa*: He will be without salt and fat.

Abaye said: There is a tradition that one is not regarded as a destitute person unless he lacks knowledge.

In *Eretz Yisroel*, there is a proverb: He who has this (*understanding*), has everything; he who lacks this, what does he have? If one acquired this, what does he lack? If he has not acquired this, what does he possess? (*Nothing!*) (40b – 41a)

Teachings regarding the Sick

Rabbi Alexandri said in the name of Rabbi Chiya bar Abba: A sick man does not recover from his sickness until all his sins are forgiven, as it is written [Tehillim 103:3]: Who forgives all your iniquities; Who heals all your diseases.

Rav Hamnuna said: He then returns to the days of his youth, for it is written [Iyov 33:25]: His skin shall be fresher than a child’s; he shall return to the days of his youth.

Rav Yosef said: A person’s sickness may cause him to forget all of his learning. Rav Yosef fell ill and forgot his learning, but Abaye was able to restore it for him by reviewing all which Rav Yosef had taught him in front of him. This is why the *Gemora* frequently comments that Rav Yosef would say, “I have not



heard this particular teaching,” and Abaye would remind him, “You yourself did teach it to us and you derived it from this particular *braisa*.”

When Rebbe had studied the thirteen different versions of the *Mishna* (*the Mishna, Tosefta and other Braisos*), he taught Rabbi Chiya seven of them. Eventually, Rebbe fell sick and forgot his learning. Thereupon, Rabbi Chiya restored to him the seven versions which he had taught him, but the other six were gone. Now, there was a certain laundryman who had overheard Rebbe when he was studying himself (*and he knew them by heart*). Rabbi Chiya went and learned them from the laundryman, and then repeated them before Rebbe.

When Rebbe met the laundryman, he said to him, “You have made me and Chiya.” Others say that he said this to him, “You have made Chiya and Chiya has made me.”

Rabbi Alexandri said in the name of Rabbi Chiya bar Abba: The healing of a sick person is a greater miracle than the saving of Chananya, Mishael and Azaryah (*when they were saved from the fiery furnace*). For they were saved from a regular fire, which anyone could have extinguished; and the fever of a sick person is a fire from Heaven and no person can extinguish it.

Rabbi Alexandri said in the name of Rabbi Chiya bar Abba, and other say that it was Rabbi Yehoshua ben Levi who said: When a person’s end has come, all have dominion over him (*even an animal will not fear him*). (41a)

Aggadic Teachings

They told Rabbah bar Shila that a tall man was killed in the following manner: He was riding on a little mule and when he came to a bridge, the mule went mad and threw the man into the water and he died.

Shmuel once saw a scorpion sitting on top of a frog. The frog carried the scorpion across the river, stung a man there and he died (*their mission of killing the man could not have been accomplished if they would not have teamed up together, for the scorpion could not swim and the frog could not sting*). (41a)

Curing the Sick

Shmuel said: We only visit a sick person who is feverish.

The *Gemora* explains: This is to exclude that which we have learned in the following *braisa*: Rabbi Yosi ben Parta said in the name of Rabbi Eliezer: We do not visit people who are sick with stomach illnesses, eye diseases or headaches. We do not visit people with a stomach illness because it’s humiliating (*when he needs to relieve himself*). And we do not visit someone with an eye disease or a headache because speaking is dangerous for them (*and making conversation with the sick is an integral part of the mitzvah of visiting the sick*).

Rava said: If fever would not be an agent of the Angel of Death, a fever every thirty days would actually be advantageous for the person just as the thorny leaves are beneficial for palm trees (*it prevents*

animals from coming near; so too, a fever protects the body).

Rav Nachman bar Yitzchak said: I want nothing to do with a fever!

Rabbah the son of Yonason said in the name of Rav Yechiel: Eating *arsan* is helpful in curing a sick person.

Rabbi Yonason said: *Arsan* is old peeled barley which sticks to the sieve. Abaye added: It must be cooked extensively.

Rav Yosef said: *Arsan* is fine barley flour which sticks to the sieve. Abaye added: It must be cooked extensively. (41a – 41b)

Doctor's Vow

The *Mishna* had stated: He may heal him a healing of the *nefesh*, but not a monetary healing.

The *Gemora* asks: If the patient is the vower and the *Mishna* is teaching us that the doctor may heal him for free, but not for money, let the *Mishna* say that explicitly (*why would the Mishna write this in such an ambiguous way*)?

Rather, the *Gemora* answers, the doctor is the vower and the *Mishna* is teaching us that the doctor is permitted to heal the patient (*since it is a mitzvah to do so*), but he is not permitted to heal his animals.

Rav Zutra bar Tuvia said in the name of Rav: He is permitted to tell him which medicine is good for the

animal and which is not (*such advice is considered an indirect type of benefit*). (41b)

Mishna

The *Mishna* states: He is permitted to bathe with the vower in a large pool, but not a small one. He also may sleep with him in a bed.

Rabbi Yehudah says: This permission is only applicable in the summer, but not in the winter, for then, he is benefiting him (*with his warmth*).

He may recline with him on a bed and eat on the same table as him, but not from the same bowl. He may, however, eat from the same bowl when the leftovers are returned to the host (*for then, he is not providing a benefit by leaving any over, since there is such an abundance of food*). (41b)

Braisa

The *Gemora* cites a *braisa*: He may not bathe together with him in a bath, or sleep in a bed with him, whether it (*the bath or the bed*) is large or small; this is Rabbi Meir's ruling. Rabbi Yehudah said: A large bed in the winter and a small one in the summer are permitted. He may bathe with him in a large bath, and use a sauna with him even in a small one. (41b)



INSIGHTS TO THE DAF

The Ra"n Elucidated

Two Doctors

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The *Gemora* asks: If the patient is the vower and the *Mishna* is teaching us that the doctor may heal him for free, but not for money, let the *Mishna* say that explicitly (*why would the Mishna write this in such an ambiguous way*)?

Rather, the *Gemora* answers, the doctor is the vower and the *Mishna* is teaching us that the doctor is permitted to heal the patient (*since it is a mitzvah to do so*), but he is not permitted to heal his animals.

The Ran explains: It is talking about a case in which there is another doctor available. Otherwise, it would be permitted to cure the animal, since the *Mishna* above said that he could return what the other one had lost, and there is no greater act of returning than this. Rather, this is certainly talking about a case where there is another doctor available, and even so, he can cure his body, because another doctor might not be able to cure him; so it is in the Yerushalmi.

Whose Medicine?

Rav Zutra bar Tuvia said in the name of Rav: He is permitted to tell him which medicine is good for the

animal and which is not (*such advice is considered an indirect type of benefit*).

The Ran explains: Since he is not the one putting the medicine on it, it is permitted, because the benefit comes by itself. From this we see that in the case of curing his body, it is even permitted to put the medicine on with his hands. However, that is only if the medicine belongs to the sick person, but not if it belongs to the doctor. Even if the one forbidden benefit has nothing with which to be cured, in which case he is doing a *mitzvah*, it is forbidden, since he is giving him of his own from the hand of one to the hand of the other. It is like the case of one who is forbidden benefit from another, who is required to put it on a rock, not to actually put it into his hand, as I wrote above (39b). However, in a case in which the sick person forbade himself the property of the doctor, it is possible that even the medicine of the doctor is permitted, because he didn't forbid him that which involves his own life.