

11 Kislev 5783  
Dec. 5, 2022



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**

**Tzvi Gershon ben Yoel (Harvey Felsen) o”h**

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**

Rabbi 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 *Baraisa*: 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 – 41a1)

### **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.

*You have upset all his bedding through his illness.* 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 *Baraisa*.”

When Rebbe had studied the thirteen different versions of the *Mishnah* (*the Mishnah, Tosefta and other Baraisos*), 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*), as it is written: Whoever meets me will kill me.

Rav said: It is from this verse: *Your decrees upon those who have stood for judgment today, for all are Your servants.* (41a1 – 41a3)

### **Aggadic Teachings**

They told Rabbah bar Shila that a tall man was killed in the following manner: He was riding on a small female mule and when he came to a bridge, the mule went mad and threw the man into the water and he died. He applied the verse to him: *Your decrees upon those who have stood for judgment today, for all are Your servants.*

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*). He applied the verse to him: *Your decrees upon those who have stood for judgment today, for all are Your servants.* (41a3)

### **Curing the Sick**

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

What is this coming to exclude? The *Gemora* explains: This is to exclude that which we have learned in the following *Baraisa*: 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.

It is well that we do not visit people with a stomach illness because it’s humiliating (*when he needs to relieve himself*), but why do we not visit someone with an eye disease or a headache? It is because of that which Rav Yehudah said, for Rav Yehudah said: Speaking is dangerous for the eye (*and making conversation with the sick is an integral part of the mitzvah of visiting the sick*) and beneficial for a fever.

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.

What is *arsan*? Rabbi Yonason said: *Arsan* is old peeled barley which sticks to the sieve. Abaye added: It must be cooked extensively, similar to the way the meat of an ox is prepared.

Rav Yosef said: *Arsan* is fine barley flour which sticks to the sieve. Abaye added: It must be cooked extensively, similar to the way the meat of an ox is prepared.



Rabbi Yochanan said: We must not visit one afflicted with burdam, nor mention its [real] name. What is the reason? — Rabbi Elazar said: Because it is like a gushing well. Rabbi Elazar also said: Why is it called burdam? Because it is a gushing well. (41a3 – 41b1)

### **Doctor's Vow**

The *Mishnah* 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 *Mishnah* is teaching us that the doctor may heal him for free, but not for money, let the *Mishnah* say that explicitly (*why would the Mishnah write this in such an ambiguous way*)?

Rather, the *Gemora* answers, the doctor is the vower and the *Mishnah* 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 Tuvya 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*). (41b1 – 41b2)

### **Mishnah**

The *Mishnah* 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*). (41b2 – 41b3)

### **Baraisa**

The *Gemora* cites a *Baraisa*: 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.

[We learned in the *Mishnah*:] He may recline on a bed with him, and eat at the same table, but not out of the same dish. Yet he may eat out of the same bowl that returns.

Rabbi Yosi ben Chanina said: that means the bowl that returns to the host. (41b3)

### **INSIGHTS TO THE DAF**

#### **The Ra"n Elucidated**

#### **Two Doctors**

The *Mishnah* 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 *Mishnah* is teaching us that the doctor may heal him for free, but not for money, let the *Mishnah* say that explicitly (*why would the Mishnah write this in such an ambiguous way*)?

Rather, the *Gemora* answers, the doctor is the vower and the *Mishnah* 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 *Mishnah* 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 Tuvya 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.

### **DAILY MASHAL**

Two Yidden - let's call them Berel and Gimpel - lived in neighboring villages. Berel was a firm believer in the power of tzaddikim, while Gimpel was not. Ironically, Berel's wife, Baila, did not really believe that a tzaddik's blessing or advice could really make a difference, while Gimpel's wife, Gittel, was convinced it could.

One day, Berel fell ill. The doctors who came to see him were unable to help, and his condition began to deteriorate. He asked his wife to travel to the saintly Rebbe of Ruzin, zt"l, to

ask for a bracha. Although she doubted this would do any good, Baila agreed to go. En route to Ruzin, Baila passed through the village where Gittel lived. When Gittel heard where Baila was going, she begged to join. She and her husband were in trouble with the local poritz from whom they leased an inn. The rent was due but they didn't have the money to pay, and the poritz was threatening to throw them in jail. She was positive that a bracha from the Rebbe would bring a yeshuah (salvation). When the women arrived in Ruzin, the Rebbe's gabbai asked them why they had come and wrote up kvitlach with their respective requests. Somehow, the kvitlach got switched, and each woman handed the Rebbe her friend's kvittel. "May Hashem help you," the Rebbe said to Baila, the sick man's wife, who had handed him the note detailing the trouble with the poritz. "Your husband should be treated with leeches," he advised Gittel, who'd unknowingly handed him the kvittel saying that her husband was ill. (At the time, many illnesses were treated by placing leeches on a sick person's back and allowing them to suck his diseased blood.)

The Rebbe's advice struck Gittel as strange, as her husband was perfectly healthy, but her faith never wavered. Arriving home, she insisted her husband follow the Rebbe's instructions. He got into bed, leeches were applied to his body, and soon he was bleeding profusely. Just then, the poritz's messenger came to collect the money. When he saw what a terrible state Gimpel was in, he hurried to tell the poritz. The poritz felt so bad for Gimpel that he agreed to forgive the debt! The Rebbe of Ruzin later said that Gimpel was saved in the merit of his wife's emunas chachomim.