

- (The word) 'את' **את**
- (of the posuk) 'hamitzvah' **הַמִּצְוָה**
- (The word) 'he will draw in' **יָדָרֵךְ**
- (of the posuk) 'hadoraich' **דָּהֲרָרֵךְ**
- (The word) 'five' **חֲמִשָּׁה**
- (of the posuk) 'd'pas hanegev' **דְּפָסַת נְגֵב**
- (The word) 'if' **אִם**
- (of the posuk) 'd'chi go'el' **דְּכִי גֹאֵל**
- these are examples **הַלֵּינֵן**
- of (words) that are written **כִּתְּבוּן**
- and are not read⁴⁸ **וְלֹא קָרְיָיִן**

A Posuk that Was Divided Into Three Pesukim

⁴⁸ **The Words that Are Written but Not Read**

1. The posuk in Melachim (2 5:18) describes how Naaman comes to Elisha to cure him of his leprosy. During this episode, Naaman starts to believe in Hashem but explains to Elisha that when he goes back home he will have to help his master, the king, serve the avodah zarah in the temple, and for this he is now asking for forgiveness, as the posuk quotes him as saying 'בְּהִשְׁתַּחֲוִיתִי בֵּית רִמֹן יִסְלַח [בַּא כְּתִיב וְלֹא קָרִיא] נָא ה' – לעבְדֶךָ בְּבֵר הָהֶהָה – for my bowing down in the temple of Rimmon, Hashem should forgive me for this thing. Although the posuk includes the word 'please', this word is not read.
2. The Ran quotes the posuk in V'eshchanan (6: 1) that says וְזֹאת הַמִּצְוָה. חֲמִשָּׁה. But as the Ran points out we do not find that the word זֹאת is not read. Later on, the Ran brings that there is mesorah that the posuk that is being referenced it the posuk in sefer Yirmiyah (38: 16) that says [חֲמִשָּׁה] [אֵת כְּתִיב וְלֹא קָרִיא] אֵת אֲשֶׁר עָשָׂה לְנוֹ אֶת הַנֶּפֶשׁ הַזֹּאת הַזֶּה. It is not entirely clear what the Ran means with this. Does he mean to say that the זֹאת of our Gemara is not the one in V'eshchanan but rather it is the one in sefer Yirmiyah (but if so, the same problem applies that we don't see that this word is not read). The second possibility is that the Ran means to change our Gemara from the word זֹאת to the word אֵת. The advantage of this that indeed the posuk in Yirmiyah does have a word אֵת that we don't read.
3. The next posuk (Yirmiyah 51: 3) describes the destruction of Bavel and tells the archer not to have mercy on those that he is shooting at. The posuk says וְיָדָרֵךְ [יָדָרֵךְ כְּתִיב וְלֹא קָרִיא], "To the archer who pulls back his bow". Although the word יָדָרֵךְ is repeated twice, it is read only once.
4. The posuk in sefer Yechezkel (48: 16) describes the portion in Eretz Yisroel that was given to the Kohanim in which the Bais Hamikdash would be placed. While describing the dimensions of this portion, the posuk says וְאֵלֶּה מְדוּתֶיהָ פְּאַת צָפוֹן חֲמִשָּׁה מֵאוֹת וְאַרְבַּעַת אֲלָפִים וּפְאַת נְגֵב חֲמִשָּׁה וְאַרְבַּעַת אֲלָפִים [כְּתִיב וְלֹא קָרִיא] "These are its dimensions, the northern side four thousand five hundred, the southern side four thousand five hundred four thousand etc.". Although the word חֲמִשָּׁה is written once, it is only read once.
5. The posuk in Megillas Rus (3: 12) quotes Boaz as telling Rus, that while it might be true that I am a גֹּאֵל (redeemer, i.e., a relative that should marry you after your husband has died), there is a גֹּאֵל that is closer than me, there is a relative that is more closely related to you. The posuk says "עַתָּה כִּי אֲמַנְנִי כִי אִם גֹּאֵל אֶנִּי וְגַם יֵשׁ גֹּאֵל קְרוֹב מִמֶּנִּי". "For if I am a redeemer, there is a redeemer that is closer than I. Although the posuk is written with the word אִם, this word is not read.

⁴⁹ **How Can the Gemara Say that the Way We Know that these Words Are Written but Not Said is From a Halacha L'Moshe M'Sinai if the Neviim and Kesuvim Were Not in Existence at the Time of Har Sinai?**

Many of the Mefarshim asks on this that the Gemara says that these words are written and not read as a result of a Halacha L'Moshe M'Sinai. How can the

אָמַר רַב אַחָא בַר אַדָּא
בְּמַעֲרָבָא
פְּסִקוּן לְהָדִין פְּסוּקָא
לְתַלְתָּא פְּסוּקִין
וַיֹּאמֶר ה' **וַיֹּאמֶר ה'**
אֶל מֹשֶׁה
בְּהִלְךְּ
אֵלַי מֹשֶׁה הִנֵּה אָנֹכִי בְּאֶלְמֶת עֲנָן
בְּעֵבֶר הָעָנָן

The full posuk reads:
וַיֹּאמֶר ה' אֶל מֹשֶׁה הִנֵּה אָנֹכִי בְּאֶלְמֶת עֲנָן בְּעֵבֶר הָעָנָן יְשַׁמְעֶנּוּ הָעָם
בְּדַבְּרֵי עֲמֹךָ וְגַם בְּדַבְּרֵי לֵעֻלָּם וַיִּגְדַּל מֹשֶׁה אֶת־דַּבְּרֵי הָעָם אֶל ה' :
“And Hashem said to Moshe ‘Behold I come before you in the thickness of the cloud so that people may hear when I speak to you and they will also trust in you forever, Moshe spoke the words of the people to Hashem.

In Eretz Yisroel they divided this posuk into three pesukim as follows (see footnote⁵⁰ for explanation as why they did this):

Gemara say that if the words that the Gemara quotes are from Nach and not the Chamisha Chumshei Torah, and if so, they were not around at the time of Har Sinai?

The Maharal (Tiferes Yisroel 66) explains that the halacha was not said with regard to particular words, but rather the halacha was said with regard to the future when the seforim of Tanach will be written down.

The halacha says they should be written down in this manner. That is, there are words that are meant to be written and read, there are words that should be read even though they are not written, and there are the words that should be written without being read. The halacha L'Moshe M'Sinai tells us that all of these should be written in this manner.

That is, the halacha L'Moshe M'Sinai tells us that there is such a concept of words that are read although they are not written and there is a concept of words that are written although they are not read. And once we have such a concept, the Neviim apply it according to their understand of which words belong in which category.

The Raadvaz (3 1020) quoted in the notes on the Maharal answers, that indeed, everything was given on Sinai, even those things that would only be learned in the future.

The footnotes on the Maharal points out an interesting observation. When the Maharal asks his question, he asks how the Gemara could say that it is an Halacha L'Moshe M'Sinai if **most** of the words discussed in the Gemara are from Nach and not the Torah.

When the Radvaz and others asks that question, they ask in a slightly different manner. They ask how the Gemara could say that it is an Halacha L'Moshe M'Sinai, if **all** of the examples of the Gemara are from Nach. That is, the Maharal asks that most of them are from Nach and the Radvaz asks that all of them are from Nach.

The footnote there answers beautifully. As we previously discussed, the first example (the 'zos' found in the parshas V'eshchanan) of the Gemara is questionable. The example is not easily understood and indeed there are those who do not have that example in their Gemara.

If so, we can understand the difference in how to ask the question beautifully. The Maharal had that example in his girsra (version) and therefore he only asked that most of the examples are from Nach. As opposed to the Radvaz that did not have that example in his girsra, and therefore he can ask, that indeed, all of the examples are from Nach and not the Torah.

⁵⁰ **Why Did They Split this Posuk Into Three Pesukim?**

The Maharsha in Meseches Kiddushin (30.) explains that they divided the posuk in order to avoid the following mistake. The word בְּעֵבֶר means 'in order that', and as such, one could have read the posuk to mean that Hashem told Moshe that he will appear in the cloud in order that the people should listen to him. That is, why will people listen to Moshe, because Hashem appeared to him.

- (א) ויאמר ה' אל משה הנה הנני בא אליך בעב הענין:
 (ב) בעבור ישמע העם בך ברי עמך וגם בך יאמינו לעולם:
 (ג) ויגד משה את דברי העם אל ה' :

How Did Moshe Become Rich?

R' Chama bar R' Chanina אמר רבי חמא ברבי חנינא
 Moshe did not become rich לא העשיר משה
 only from the 'leftovers' אלא מפסולתן
 of the Luchos של לוחות
 as it says (Shemos 34:1) שנאמר
 "Carve for yourself פסל לך
 two stone Luchos שני לוח אבנים
 like the first ones" כראשונים
 (this means to say that) the 'leftovers' פסולתן
 should be yours יהא שלך

Moshe was told to carve the Luchos for himself and the Gemara understands this to mean that while the actual Luchos themselves would not belong to Moshe, the leftover shards that would remain after they have been carved would belong to Moshe and this is how Moshe became wealthy.

The Maharsha explains that previously we learned how Moshe taught Klal Yisroel for free. If so, the way Moshe became wealthy was not from his teaching. But if so, how did he get his money? It was this question that R' Chanan was coming to answer.

Was the Torah Originally Only Given to Moshe Rabbinu?

R' Yosie bar R' Chanina אמר רבי יוסי ברבי חנינא
 the Torah was not (originally) given תורה תורה
 לא אלא except
 to Moshe and his descendants למשה ולזרעו
 as is says שנאמר
 "Write for yourself" (Shemos 34:27) כתב לך
 "Carve for yourself" (ibid. 34:1) פסל לך
 just like מה
 the 'leftover' (carvings) are yours פסולתן שלך

However, this is a mistake. The word בעבור is not going on the beginning of the posuk but rather it explains the continuation of the posuk. The posuk is saying that because the people will hear Hashem talking to Moshe, they will believe in Moshe forever. Therefore, the posuk was split.

The Maharsha continues and says that the reason that the end of the posuk is divided into a separate posuk is because we do not find that in a singular posuk Hashem will talk to Moshe and Moshe will talk to Klal Yisroel.

also the writing should be yours אף כתבו שלך
 (and) Moshe acted with it משה נהג בה
 with a good eye טובת עין
 and gave it to (Klal) Yisroel ונתנה לישראל
 and on him ועליו
 the posuk says (Mishlei 22:9) הכתוב אומר
 ("The one who has) a good eye טוב עין
 הוא יברך וגו' he will be blessed etc."

R' Yosie makes a drasha to say that not only were the leftover carvings supposed to go to Moshe, but the writing itself, i.e., the actual Torah should have belonged to Moshe as well. However, Moshe acted with an ayin tova (a giving nature) and gave it to Klal Yisroel.

But on this the Gemara asks:

Rav Chisda asked מתיב רב חסדא
 (The posuk Devarim 4:14 says) "And אותי צוה ה' בעת ההיא
 Hashem commanded me at the time
 to teach you" ללמד אתכם

From this posuk we see that Hashem commanded Moshe to teach the Torah to Klal Yisroel, if so, how could R' Yosie say that originally the Torah was only meant for Moshe?

The Gemara answers that the posuk could be understood to mean:

I was commanded (at that time) אותי צוה
 and I (decided later to teach them) ואני
 to you לכם

The Gemara answers that one can learn the posuk to mean that Hashem commanded Moshe in the mitzvohs but it was Moshe himself who decided to teach the Torah to Klal Yisroel.

The Gemara asks a similar question from a different posuk. The posuk (ibid 4:5) says:

"See ראה
 that I have taught you למדתי אתכם
 chukim and mispatim חקים ומשפטים
 as Hashem my G-d commanded כאשר צוני ה' אלקה

The posuk seems to say explicitly that Hashem commanded Moshe to teach Klal Yisroel, and once again that Gemara will answer as it did previously, that the posuk can be understood to mean:

The Shita M'kubetzes explains that the reason the posuk was split into three was because in Eretz Yisroel they would read the Torah once every three years and therefore they had to shorten the pesukim (שם).

However, our Gemara seems to indicate that it was only this posuk that was divided into three, and if so, it is hard to understand how this would affect the Krias HaTorah in Eretz Yisroel.

I was commanded **אֹתִי צִוָּה**
(but) I (gave it) to you **וְאֲנִי לָכֶם**

The Gemara asks one more question on R' Yosie. The posuk (ibid. 31:19) says:

“And now **וְעַתָּה**
write for yourselves **כְּתוּבוּ לָכֶם**
this song **אֶת הַשִּׁירָה הַזֹּאת**

We see that this shira was supposed to be taught to Klal Yisroel, as the continuation of the posuk says that this shira should be taught to Klal Yisroel and it should be ‘put in their mouths’ (וְלִמְדָה אֶת בְּנֵי יִשְׂרָאֵל שִׁמְחָה בְּפִיהֶם). If so, we have a proof that the Torah was not just given to Moshe, but it was given to Klal Yisroel as well.

To which the Gemara answers that from this posuk we do not have a proof that the entire Torah was given to Klal Yisroel because maybe the posuk refers to:

The shira alone **הַשִּׁירָה לְחֻדָּה**

That is, all we see from the posuk is that the shira (i.e., parshas Ha'zinu) was given to Klal Yisroel but we don't see anything with regard to the rest of the Torah.

The Gemara continues and says that it must be that the entire Torah was given to Klal Yisroel because the posuk continues and says that you should teach the shira to Klal Yisroel:

“In order **לְמַעַן**
that it should be for me **תְּהִיָּה לִי הַשִּׁירָה הַזֹּאת**
as a witness in Klal Yisroel” **לְעֵד בְּבְנֵי יִשְׂרָאֵל**

The Ran explains that if the shira is supposed to be a witness to this that Klal Yisroel should keep the mitzvohs, it can't be that the shira is referring to just the actual shira itself. The shira does not have any of the mitzvohs, and if so, how could it serve as a witness that Klal Yisroel has to keep all the mitzvohs? Rather it must be that the posuk is indeed referring to the entire Torah, and if so, we see not as R' Yosie said. R' Yosie said that that the

Torah was only given to Moshe and from this posuk we see otherwise

The Gemara answers that the intent of R' Yosie when he said that the Torah was originally only given to Moshe was:

Only (with reference) **אֲלֵא**
(to) general ‘pilpul’ **בְּעֵלְמָא פִּלְפּוּל**

That is, everyone agrees that the Torah was always meant to be given to Klal Yisroel, and this that R' Yosie said that originally it was only going to be given to Moshe, this refers to pilpul. Pilpul is the area of the Torah in which one understands the logic and reasoning of what lies behind the Torah and uses this understanding to determine the halacha of cases that are not written explicitly in the Torah (להבין דבר מתוך דבר).⁵¹

Hashem Only Rests His Shechinah on Those People Who Are Strong, Rich, Smart, and Humble (the Limud from Moshe Rabbinu)

R' Yochanan said **אָמַר רַבִּי יוֹחָנָן**
Hashem does not **אֵין הַקְּדוּשׁ בְּרוּךְ הוּא**
rest His Shechinah (Heavenly Presence) **מְשַׁרָּה שְׂכִינָתוֹ**
only on (someone who is a) strong person **אֲלֵא עַל גְּבוּר**
a rich person **וְעֵשִׂיר**
a smart person **וְחָכָם**
and a humble person⁵² **וְעֲנִי**
and all of them (i.e., all these attributes) **וְכוּלָן**
(are learned) from Moshe **מִמּוֹשֶׁה**

We find that Hashem rested his Shechinah on Moshe and Moshe had these four attributes. If so, we see that these are the attributes that a person needs in order for the Shechinah to rest on him.

The Maharsha explains that we know that all of these characteristics were needed for the Shechinah to rest on Moshe as the posuk in Devarim (18:15) says **נָבִיא מִקִּרְבְּךָ מֵאַחֶיךָ כָּמֹנִי יִקִּים**

not written (i.e., the deep understanding of the Torah) was originally only given to Moshe.

How Do We See from the Pesukim that it was Pilpul that was Given to Moshe?

The Maharsha explains that pilpul is that area of the Torah that lies beyond that actual Torah itself. If so, this is what the posuk is saying. Just like Moshe did not receive the actual Luchos but rather he revived the leftover shards of the Luchos, so too with regard to Torah it was this way as well. Moshe did not receive the actual Torah (by himself) but rather he received what lies beyond the Torah).

52 Why Would a Navi Need to be Strong, Rich, etc.?

The Ein Yaakov and other Achronim explain that in order for the Shechinah to rest on a person, all he really needs is to be a humble person. However, in order for his humbleness to be recognizable he needs all of these other attributes. That is, if a person has all of these attributes and is still a humble person, that person is truly humble, and is fit to have the Shechinah rest on him.

⁵¹ The Shita of the Maharsha in the Sugya (the Gemara never entertained the possibility that Klal Yisroel was originally not supposed to get the mitzvohs of the Torah)

The Maharsha points out that even in the beginning of the Gemara, R' Yosie never meant to say that the mitzvohs of the Torah were meant to be given only to Moshe, rather the Gemara at this point understands that R' Yosie was saying that the learning of the Torah was only given to Moshe.

As such, all of the questions that the Gemara will now ask on R' Yosie will be with regard to Moshe being commanded to teach the Torah to Klal Yisroel.

The Gemara concludes by proving that it must be that even the learning was given to Klal Yisroel. This is seen from the fact that the posuk says that one should ‘teach’ the shira, and therefore we say that if the shira which is only in order to give testimony has to be learned, then certainly the mitzvohs themselves should have to be learned as well.

If so, the intent of R' Yosie must be to say that although it is true that the ‘basic’ learning of the mitzvohs, i.e., the learning that is done from what is written, was given to Klal Yisroel, the learning of pilpul, i.e., the learning that is

לָדָהּ ה' וכו' – A Navi from among you, from among your brothers like me Hashem will rise up etc. From this posuk we see that in order to be a Navi (i.e., have the Shechinah rest on you), you must be similar to Moshe, that is, you must have these four characteristics.

The Gemara will now show where we see that Moshe had each of these characteristics.

(The fact that Moshe was) a strong person **גבור**
as it is written (Shemos 40:19) **דִּכְתִּיב**
“He spread out the tent (the curtains) **וַיִּפְרֹשׂ אֶת הָאֹהֶל**
on the Mishkan **עַל הַמִּשְׁכָּן**
And Mar said **מַר**
Moshe Rabbinu (by himself) **רַבִּינוּ**
spread them **פָּרְסוּ**
and it is written (ibid. 26:16) **וְכִתִּיב**
“Ten amos **אֲמֹת**
was the length of the board etc.” **אָרְזָה הַקֶּרֶשׁ וְגו'**

The length of the boards that made up the walls of the Mishkan were ten amos long. Therefore, when they were stood up (to from the wall of the Mishkan) they were ten amos tall. And yet Moshe was still able to spread the curtains over them. If so, we see that Moshe was very tall, and the Ran explains that if he was so tall, we can assume that he was strong as well.

To which the Gemara questions and says:

But say (that maybe) **אֵימָא**
he was tall **דְּאַרְיָךְ**
and small (i.e., small in strength) **וְקָטִין**

All we see from the posuk is that Moshe must have been very tall and that is how he was able to spread the curtains over the Mishkan but that does not necessarily mean that he was strong as well. The Gemara will therefore bring another posuk to show that indeed Moshe was incredibly strong.

Rather **אַלָּא**
from this posuk (we know it) **מִן הַדִּין קָרָא**
as it is written (Devarim 9:17) **דִּכְתִּיב**
“And I grabbed the two Luchos **וַאֲתַפֵּשׂ בְּשְׁנֵי הַלְּחָת**
and I threw them **וַאֲשַׁלְּכֵם**
from my two hands **מֵעַל שְׁתֵּי יָדַי**
and I broke them” **וַאֲשַׁבְּרֵם**
And we learned in a Baraisa **וַתִּנֵּי־א**

⁵³ How Can We Say that Moshe Became Rich from the Luchos if Hashem Talked to Him Even Before Moshe Carved Out the Luchos?

The Gemara says that the Shechinah only rests on a rich person and the Gemara also says that Moshe became rich from the leftover carvings of the Luchos. And on this the Mefarshim ask that we find many times that Hashem spoke to Moshe even before the breaking of the Luchos, i.e., Hashem spoke to

the Luchos **הַלּוּחוֹת**

their length was six (tefachim) **אָרְכּוֹן שֵׁשָׁה**
and their width was six (tefachim) **וְרֵחְבוֹן שֵׁשָׁה**
and its thickness was three (tefachim) **וְעֵבְיִין שְׁלֹשָׁה**

The Luchos were made of stone and were these measurements. If so, the Luchos must have weighed a tremendous amount and yet Moshe was still able to throw and break them. From this we see that indeed Moshe must have been very strong.

(How do we know that Moshe was a) rich man **עָשִׂיר**
(we learn it from the posuk that says) carve for yourself **פָּסַל לָךְ**
(that is) the ‘leftover carvings’ **פְּסוּלֹתָן**
should be yours **יְהֵא שְׁלָךְ**

As we learned previously, Moshe was the one who got the leftover carvings from the Luchos and as a result of acquiring these precious stones, he became a wealthy man.⁵³

(How do we know that he was a) smart man **חָכָם**
(from) Rav and Shmuel **רַב וְשְׁמוּאֵל**
that they both said **דְּאַמְרֵי תְרוּוִיהוּ**
fifty measures of understanding **חֲמִשִּׁים שְׁעָרֵי בִינָה**
were created in the world **נִבְרְאוּ בְעוֹלָם**
and all of them were given to Moshe **וְכוּלָּם נִתְּנוּ לְמֹשֶׁה**
missing (i.e., except) for one **חֶסֶר אַחַת**
as it says (Tehillim 8:6) **שִׁנְאַמַר**
“And you made missing from him **וַתַּחְסְרוּהוּ**
a little from Hashem” **מְעַט מֵאַלְקִים**

The Rosh explains that we know that Moshe was given forty-nine measures of understanding from the posuk in Tehillim (12:7) that says that the wisdom of Hashem was revealed to the world and was **מְזֻקָק שְׁבַע־עֶתָיִם** – “refined with ‘two sevens’”. These words are understood to mean seven times seven, or forty-nine, to indicate that there were forty-nine measures of wisdom that were given to the world.

The Ran explains that although forty-nine measures of understanding were given to the Moshe, one measure of understanding was not given to him, and that was the understanding of Hashem. This is the meaning of the posuk that says that a little of Hashem was missing from him. Moshe was missing that measure of understanding that includes understanding Hashem.

Moshe before he became rich. But if Moshe was not rich at that time, how was Hashem able to speak to him?

The Maharsha in Baba Basra (12.) answers that our Gemara just refers to Hashem speaking to a person **בְּקִבְעוֹת** – in a set manner. However, Hashem would speak to a person from time to time, even if that person is not a rich person.

(How do we know that he was) a humble person עניי
 as it is written (Bamidbar 12:3) דַּכְתִּיב
 “And the man Moshe וְהָאִישׁ מֹשֶׁה
 was very humble” עָנוּ מְאֹד

The Many Neviim that Were Wealthy

R' Yochanan said אָמַר רַבִּי יוֹחָנָן
 all the Neviim כָּל הַנְּבִיאִים
 were wealthy people הָיוּ עֲשִׁירִים

How do we know this מִנֵּל
 from Moshe and from Shmuel מִמֹּשֶׁה וּמִשְׁמוּאֵל
 from Amos and Yona מִעָמוֹס וּמִיוֹנָה

R' Yochanan tells us that all of the Neviim were wealthy, as we see from Moshe, Shmuel, Amos, and Yonah (see footnote).⁵⁴ The Gemara now shows us how we know that each one of these four were rich.

Moshe (we know was rich) מֹשֶׁה
 as it is written (Bamidbar 16:15) דַּכְתִּיב

“Not one donkey did I take from them” לֹא חֲמֹר אֶחָד מֵהֶם נִשְׂאתִי

In response to Korach’s attack on Moshe, Moshe responds that he had not even taken one donkey from Klal Yisroel (that is Moshe was saying that even though he was in power, he had no financial benefit from his position).

And on this the Gemara asks:

If (the intent of Moshe was to say) אִי
 (that he did not take a donkey) without בְּלֹא
 payment אַגְרָא
 (but can this really be) to exclude לְאַפּוֹקֵי
 one who takes without payment מֵאֵן דְּשָׁקֵל בְּלֹא אַגְרָא

A person who takes something without payment is a thief. If so, how could Moshe be saying that he never took even a donkey without payment? Of course, he never did so. Moshe was certainly not a thief, and if so, it would seem unnecessary to say that Moshe would not steal.

Rather אֲלֵא
 (it must be that he was saying) that even דְּאַפִּילוּ
 with payment (he never took) בְּאַגְרָא

The Gemara proves that it must have been that Moshe was saying that he never even took a donkey for payment. But how

could this be? If Moshe would never rent out a donkey, how would he get from place to place? The Gemara assumes that the answer must be that Moshe did not need to rent a donkey because Moshe already had plenty of donkeys to ride, i.e., it must be that Moshe was wealthy and could afford his own donkeys.

The Gemara points out:

(But) maybe דִּילְמָא
 because he was poor הָוֵה מְשׁוּם דְּעֵנִי הָוֵה

The Gemara points out that it could be that the reason why Moshe never rented donkeys to ride was not because he was wealthy but rather the opposite was true. Moshe never rented donkeys because he was too poor to do so. If so, since this is a possible explanation as to why Moshe never rented a donkey to ride, we do not have a proof that Moshe was rich.

The Gemara answers:

Rather אֲלֵא
 (we know Moshe was rich) from מִן
 (the posuk that says) ‘carve’ for yourself פָּסַל לָךְ
 (which means that) the leftover carvings פְּסוּלֵתָן
 should be yours דְּשֵׁלְדָךְ

The Gemara says that we know Moshe was rich from the drasha that the Gemara brought previously. Moshe became rich from the leftover carvings of the Luchos.

(And we know) Shmuel (became rich) שְׁמוּאֵל
 as it is written (Shmuel 1 12:3) דַּכְתִּיב
 “Behold here I am answering about me הִנְנִי עֹנֶה בִּי
 ‘in front of Hashem ה’ נִגְדָה
 and in front of his anointed וְנִגְדָה מִשִּׁיחוֹ
 the ox did I take אֶת שׁוֹר מִי לְקַחְתִּי
 and the donkey did I take” וְחֲמֹר מִי לְקַחְתִּי

Shmuel asks rhetorically, “The ox did I take and the donkey did I take”? Shmuel is praising himself that he did not even take an ox or donkey from Klal Yisroel. And once again, the Gemara asks as it did in the last Gemara.

If for free אִי בְּחִנָּם
 (but was Shmuel really) coming to exclude לְאַפּוֹקֵי
 one who take it for free מֵאֵן דְּשָׁקֵל בְּחִנָּם
 rather (it must be that he meant to exclude) אֲלֵא
 that even for payment (he didn’t take) דְּאַפִּילוּ בְּשָׂכָר

Shmuel was saying that he didn’t even take an ox or donkey from Klal Yisroel. And the Gemara again points out that it must

⁵⁴ **Maybe Just these Four Neviim Were Wealthy but the Others Were Not**
 Seemingly, R' Yochanan is saying that if we find that these four were wealthy, then we can assume that all Neviim were wealthy. But how does he know this? Perhaps these four Neviim were wealthy but the others were not. A certain talmid chacham suggested that perhaps the fact that the pesukim go out

of their way to show us that they were wealthy, shows us that they had to be wealthy in order to be a Navi, because if not, why would the pesukim tell us this.

be that the intent of Shmuel was to say that he never took any of these animals, even if he paid for them. Shmuel would never praise himself for not stealing, and if he didn't pay for them and took then anyway this would be stealing, something that Shmuel would never do. Rather it must be that Shmuel was saying that he never even took an animal with paying for it. But why would he never need an animal? The Gemara concludes that it must be that Shmuel was rich and had his own animals.

And once again the Gemara points out that:

Maybe he was poor הוה דעני הוה דלמא

The Gemara asked as it did before, that perhaps the reason why Shmuel never rented animals was because he was poor. The Gemara answers:

Rather (we know it) from here (Shmuel 1 7:17) אלא מהכא

“And he would return ותשביתו

to Ramasa הרמתה

for there was his house” כי שם ביתו

and Rava said ואמר רבא

in every place that he went כל מקום שהלך

his house was with him ביתו עמו

Rava explains that when the posuk says that ‘there was his house’, this is not referring to his returning to Ramasa, but rather it is referring to the posuk before it. In the previous posuk, it describes how Shmuel would travel from place to place, and the posuk is saying, that even as he was traveling, his house was always with him. That is, wherever he would go, he would always have his possessions (i.e., all the things that he would need) with him. This would only be possible if indeed Shmuel was rich and was able to do this.

The Maharsha explains that Rava did not want to learn like the simple explanation of the posuk, that he returned to his house that was in Ramasa, because if this was really the intent of the posuk, the posuk should have said he returned to his house in Ramasa. Why does the posuk speak out “that there was his house”? From this Rava saw that it must be as he said. See the Maharsha where he continues and brings two more reasons why Rava did not want to learn like the simple understanding of the posuk.

Rava said ואמר רבא

it is greater גדול

what is said with Shmuel מה שנאמר בשמואל

more יותר

from what is said with Moshe משנאמר במשה

for with regard to Moshe Rabbinu דאילו במשה רבינו

it is written כתוב

“And not one donkey from them לא חמור אחד מהם

did I take” נשאתי

that even for payment דאפילו בשכר

and if with regard to Shmuel ואילו גבי שמואל

even אפילו

with their will he did not rent ברצון לא שכרו

as it is written (Shmuel 1 12:4) דכתיב

“And they said ויאמרו

you did not rob us לא עשקתנו

you did not force us etc.” ולא רצותנו וגו

The praise of Moshe was that he never forced anyone do rent him a donkey. That is, one could have thought that Moshe would have forced them to give him a donkey to ride as long as Moshe would agree to pay for it. And the praise of Moshe was that he never did this, and if he ever needed a donkey, he would rent one, but only if the person would want to rent it to Moshe.

Shmuel on the other hand would not even do this. He would never rent a donkey from anyone, even if the owner of the animal would be agreeable to do so. The Ran explains that the reason why Shmuel would not do this was because Shmuel was afraid that even if the other person would agree to rent him the donkey, it could be that the reason why that person would agree to do so, was not because he really wanted to but rather he would be embarrassed to say no to Shmuel.

Therefore, to avoid any trace of taking something against someone's will, Shmuel would never take some else's animal, even if Shmuel would pay the owner and the owner would agree to rent it to Shmuel.

Amos (we know was rich) עמוס

as it is written (Amos 7:14) דכתיב

“And Amos answered ויען עמוס

and said to Amaziah ויאמר אל אמציה

I am not a Navi לא נביא אנכי

and I am not the son of a Navi ולא בן נביא אנכי

for I a cattle herder כי בוקר אנכי

and checker of sycamore trees” ובולס שקמים

as R' Yosef translated כדמתרגם רב יוסף

“I am the owner of cattle ארי מרי גיתי אנא

and I have sycamore trees ושקמין לי

in low-lying areas etc.” בשפלתא וגו

R' Yosef tells us that the Targum (the Aramaic translation) of the posuk teaches us that Amos was saying that he was a cattle

herder and that owned sycamore trees. If so, we see that he was a person of means.

Amos was responding to Amaziah who had accused Amos of being a Navi Sheker (false prophet) who only said prophecy in order to make money. To which Amos responded that there would be no need for him to do as such as he was a cattle herder and the owner of sycamore trees (i.e., he had money and had no need to try and make more by being a Navi Sheker).

Yonah (we know was rich) יונה
as it is written (Yona 1:3) דכתיב
“And he gave payment ויתן שכרה
and went down” וירד בה

And R' Yochanan said ואמר רבי יוחנן
(this posuk means) that he gave שנתן
the payment שכרה

for the entire ship של ספינה כולה
And R' Romanus said אמר רבי רומנוס
the payment of the ship שכרה של ספינה
was four thousand הויא ארבעת אלפים
gold dinars דינרי דהבא

If Yonah was able to give such a large amount, he was obviously a rich person.

The Way Moshe Was Finally Able to Know the Torah

And R' Yochanan said ואמר רבי יוחנן
in the beginning בתחלה
Moshe learned Torah הנה משה למד תורה
and forgot it ומשכחה
until it was given to him עד שניתנה לו
as a gift במתנה
as it says (Shemos 31:18) שנאמר
“And he gave it to Moshe ויתן אל משה
when He finished ככלתו
speaking with him” לדבר אתו

The posuk implies that it was only after Hashem had finished speaking to Moshe that the Torah was given to him as a gift.

The Yerushalmi explain that this was done in order to teach the fools. The Pnei Moshe explains that the Yerushalmi was asking why the Torah was not given to Moshe as a gift in the beginning of the forty days. To which the Yerushalmi answers that this was done in order to answer the fools that ask why they should work hard to learn Torah if they will eventually forget it anyway. And the answer is from Moshe. Moshe kept learning and reviewing even though he forgot, until eventually he was given the Torah as a gift.

משנה

If Shimon is Assur to Give Benefit to Reuven, Can Shimon Feed His Wife, Children, or Animals?

We previously learned that even in a case in which Shimon is assur to give benefit to Reuven, there are many things that Shimon is still allowed to do for Reuven that are mutur. That is, there are many cases in which even though Shimon benefits Reuven, since the benefit is not considered direct benefit, it will still be mutur. The Mishna will describe more of these examples.

And he can feed his wife וזן את אשתו
and his children ואת בניו
אף על פי even though

he is chayiv in their sustenance שהוא חייב במזונותן

The Mishna tells us that Shimon is allowed to feed Reuven's wife and children, even though if Shimon would not do so, Reuven would be chayiv to feed them. That is, it is mutur even though at the end of the day Shimon is saving Reuven money. The Ran explains that the reason this is mutur is because the reason Shimon is feeding them is not in order to save Reuven money but rather Shimon wants to do the mitzvah of feeding them. Therefore, since this is his intent, the fact that Reuven benefits is only considered incidental and is therefore it is mutur.⁵⁵

The Mishna continues:

If so, it would seem that our Mishna would be in accordance with only the shita of Chanan, as the Bnei Kohanim Gedolim would hold that it would be assur for Shimon to feed Reuven's children. And indeed, a number of Rishonim hold this way, that the Mishna is only in accordance with Chanan.

The Ran however holds that our Mishna could be like the shita of the Bnei Kohanim Gedolim. The only time the Bnei Kohanim Gedolim hold that it would be assur for Shimon to feed Reuven's wife and children would be in a case in which Shimon is doing so in order to pay Reuven's debt (i.e., the obligation to pay for food for his wife and children). However, in the Mishna's case, the intent of Shimon is not to pay Reuven's debt but rather his intent is to just to the mitzvah of feeding them, and therefore, any benefit that Reuven might have is only considered as incidental and is therefore mutur.

⁵⁵ The Machlokes Chanan and the Bnei Kohanim Gedolim

Previously (Daf 33) the Gemara quoted the machlokes Chanan and the Bnei Kohanim Gedolim with regard to this very case. In the case that Shimon feeds Reuven's children, the Bnei Kohanim Gedolim hold that Reuven must pay Shimon back for what Shimon spend because if Reuven does not pay Shimon back, it will come out that Shimon had benefited Reuven. Chanan, however, argued on this and he held that Reuven does not have to pay back Reuven. Chanan holds that when Shimon feeds Reuven's children it is not considered as if Shimon is benefiting Reuven, as all Shimon did was to prevent Reuven from having a loss, similar to the halacha that says that Shimon would be allowed to pay back Reuven's dept.

And he cannot feed וְלֹא יִזֶן
his (Reuven's) animal אֶת בְּהֵמָתוֹ
whether it is tamei (impure – not kosher) בֵּין טְמֵאָה
whether it is tahor (pure – kosher) בֵּין טְהוֹרָה
R' Eliezer says רַבִּי אֱלִיעֶזֶר אוֹמֵר
he can feed the tamei animal וְאֵת הַטְּמֵאָה
and he cannot feed וְאֵינוֹ יִזֶן
the tahor animal אֶת הַטְּהוֹרָה
They said to him אָמְרוּ לוֹ

what is the difference between מָה בֵּין
a tamei animal and a tahor animal טְמֵאָה לְטְהוֹרָה
He said to them אָמַר לָהֶם
for a tahor animal שֶׁהַטְּהוֹרָה
its nefesh is to shamayim נַפְשָׁהּ לְשָׁמַיִם
and its body is his וְגִיפָהּ שְׁלוֹ
(and) a tamei animal וְטְמֵאָה

Nedarim 38b

Its nefesh and its body נִפְשָׁהּ וְגוּפָהּ
 are to shamayim לְשָׁמַיִם
 They said to him אָמְרוּ לוֹ
 even a tamei animal אִף הַטְּמֵאָה
 its nefesh is to shamayim לְשָׁמַיִם
 and its body is his וְגוּפָהּ שְׁלוֹ
 for if he wants שְׂאֵם יִרְצֶה
 he can sell it to goyim הָרִי הוּא מוֹכְרָהּ לְגוֹיִם
 or feed it to dogs אוּ מְאֻכְלָהּ לְכֹלְבַיִם

R' Eliezer holds that Shimon is allowed to feed Reuven's animal as long as it is a non-kosher animal. The Chachamim, however hold that Shimon is not allowed to feed any of Reuven's animals, whether they are kosher or not.

R' Eliezer holds that the reason one cannot feed Reuven's animals is because when Shimon feeds them, they will get bigger, and this will mean that Reuven will have more to eat when he eats them. If so, this benefit will obviously not apply if Shimon feeds Reuven's non-kosher animals. The fact that Shimon's feeding fattens up the animal makes no difference to Reuven, as Reuven is not allowed to eat them.

To which the Chachamim answer back that it certainly does make a difference as the fatter the animals are, the greater the price Reuven can charge goyim to buy it. Additionally, Reuven benefits by having larger animals as he has more to feed his dogs.

The Ran points out the feeding that the Mishna is discussing cannot be the regular feeding that an animal needs, because if this is what he Mishna is discussing, then Shimon's feeding would certainly be considered a benefit to Reuven, as Shimon's feeding would be keeping Reuven's animals alive.

Rather the feeding that R' Eliezer allows is the extra feeding, which is the extra food that is given to the animals in order to fatten them up. With regard to this feeding, R' Eliezer and the Chachamim argue.

The Chachamim hold that since the animal can be sold for more when it is fatter, Shimon's fattening of the animal is considered a benefit to Reuven.

R' Eliezer however holds that since non-kosher animals are typically used for work, fattening them up is not considered a benefit. On the contrary, fattening them up is detrimental as this causes the animal to become 'finicky' and as a result they don't work as well.

For the sake of simplicity, when explaining the Gemara, we will do as we did previously, and we will refer to Reuven and Shimon in the context of Shimon being assur to give Reuven benefit.

Rav Yitzchok bar Chananya said אָמַר רַב יִצְחָק בַּר חַנְיָהּ
 that Rav Huna said אָמַר רַב הוּנָא
 one who assures (with a neder) הַמְוֹדֵר
 benefit from his friend הַנָּאֵה מִחֲבֵירוֹ
 is allowed to marry his daughter מוֹתֵר לְהַשִּׂיאָהּ לוֹ בִּתּוֹ

If Reuven makes a neder to forbid himself from getting benefit from Shimon, he is allowed to marry his daughter (the 'he' and the 'his' will be discussed momentarily).

R' Zayra 'was with it' (i.e., thinking about it) הָיָה בָּהּ רַבִּי זֵירָא
 with what are we dealing with (what is the case) בְּמַאי עֲסָקִינוּ
 if you say אֵילִימָא
 that the property בְּשִׁנְכֵי
 of the kallah's (bride's) father אָבִי כְּלָה
 is assur on the chosson (groom) אֲסוּרִין עַל הַחַתָּן
 but he is giving over to him הָרִי מוֹסֵר לוֹ
 a maid to serve him שְׂפַחָה לְשִׁמְשׁוֹ

Rav Huna said that even if Reuven is forbidden to get benefit from Shimon, he is still allowed to marry his daughter. But what is the case? If Reuven is the chosson and Shimon is the girl's father (i.e., the father of the kallah is assur to benefit the chosson), how could Reuven marry Shimon's daughter? When Shimon gives over his daughter to Reuven, in effect he is giving Reuven a 'maid to serve him'. That is, Shimon has definitely benefitted Reuven by giving his daughter over to him as a wife, and if so, why is it mutur to do so if Reuven is assur to receive benefit from Shimon?

Rather (the case must be) אֶלָּא
 that the property of the chosson בְּנִכְסֵי חַתָּן
 is assur on the father of the kallah אֲסוּרִין עַל אָבִי כְּלָה

The Gemara answers that the case must be that Shimon is the chosson and Reuven is the kallah's father (that is, the property of the chosson is assur to the kallah's father).

The Ran explains that since Shimon is assur to benefit Reuven, one could have thought that Shimon is not allowed to marry Reuven's daughter, because once Shimon marries Reuven's daughter, Reuven no longer has to support her as she is now Shimon's responsibility.

But on this the Gemara asks that this cannot be the case of R' Huna's halacha because:

Greater than this גדולה מזו
they said (in the Mishna) אמרו
he can feed his wife וְאֵת אִשְׁתּוֹ
and his children וְאֵת בְּנָיו
and even though וְאִף עַל פִּי
he is chayiv שהוא חייב
in their sustenance (i.e., to feed them) בְּמִזוֹנוֹתָן
and you say וְאֵת אֲמַרְתָּ
it is mutur מותר
for him to marry his daughter! לְהִשְׂיֵא לּוֹ בִּתּוֹ!

The Mishna taught us that Shimon is allowed to feed Reuven's wife and children even in a time in which Reuven is chayiv to do so. Therefore, if these is true, then certainly Shimon would be allowed to feed Reuven's daughter when Reuven is not obligated to feed her (i.e., after Shimon marries her). If so, once we know the Mishna there would be no need for R' Huna to say his halacha, as his halacha is obvious and does not need to be said. That is, if his halacha is the way we just said, it would be unnecessary, and therefore, if he did say his halacha, it must be that he was referring to a different case.

The Gemara answers:

Really (it is as we said before) לְעוֹלָם
in the case that the property of the kallah's father כְּשֶׁנִּכְסֵי אָבִי כְּלָהּ
is assur on the chosson אֲסוּרִין עַל הַחֲתָן
and it is with his daughter וּבִבְתּוֹ
who is a bogeres בּוֹגֵרֶת
(and it is) with her knowledge (consent) וּמִדַּעְתָּהּ

The Gemara answers that the halacha of R' Huna was said in the case that Reuven wants to marry Shimon's daughter, and the case is that the daughter is already a bogeres. A bogeres is a girl who is considered a full-fledged adult (this happens six months after she brings simanim), and at this point the father no longer is able to marry her off.

If so, if she does get married, it is done with her consent and is considered as her own doing. Therefore, when Reuven marries

Shimon's daughter, it is not considered as if Shimon is giving Reuven his daughter in marriage, rather it is Shimon's daughter who is marrying herself to Reuven. As such, since the marriage is her doing, Shimon has not given Reuven benefit.⁵⁶

The Gemara now brings a Baraisa that indeed in this case it will be mutur for Reuven to marry her.

We also learned like this is the Baraisa תִּנְיָא נְמִי הֲכִי
one who forbids with a neder המוֹדֵר
benefit from his friend הַנָּאֵה מִחֲבִירוֹ
is assur to marry his daughter אֲסוּר לְהִשְׂיֵא לּוֹ בִּתּוֹ
but he can marry his daughter אֲבָל מִשְׂיֵאוֹ בִּתּוֹ
who is a bogeres בּוֹגֵרֶת
with her knowledge (i.e., consent) וּמִדַּעְתָּהּ

**The Halachos of Someone Who Forbids Himself from
Getting Benefit from His Son In Order Not to Interrupt His
Son's Learning**

R' Yaakov said אמר רבי יעקב
(one who uses) a neder to forbid benefit המוֹדֵר
from his son בְּנוֹ

for talmid Torah תורה לתלמוד
It is permitted מותר

(for the son) to fill up למלאות
for him (i.e., his father) לוֹ
a barrel of water חבית של מים

and to light the ner (lamp) for him ולהדליק לוֹ אֵת הַנֵּר

R' Yitzchok said רבי יצחק אמר
(the son can also) fry לצלות
a small fish for him לוֹ דָג קָטָן

This person makes a neder that he will not benefit from his son. The person makes this neder in order to guarantee that he will not interrupt his son's learning. He is afraid that if he would be allowed to benefit from his son, he would come to 'use' his son,

⁵⁶ What is the Chiddush of this Halacha?

Tosefos explains that the chiddush of this halacha is that even though the father is advising his daughter to marry him, the benefit of talking is not considered a benefit.

The Rosh also says that this is mutur even though he is advising her to marry him, and the Rosh adds on, that even though she would not marry him without her father's consent, it is still not considered as if Shimon (the father) is benefitting him. (יש לעי' היטב אם יש חילוק בין תוס' והרא"ש באופן שהם לומדים החידוש). (של הלכה זה, וכנראה שיש לפלפל בזה ואכמ"ל).

The Ran in his second explanation argues on the above. The Gemara said that in this case it is mutur מדעתה – with her consent. The Ran in his first pshat explains that this is the reason that it is mutur. That is, since the marriage can only be done with her consent, that is why it is mutur.

The Ran in his second pshat however holds that this is the case that it is mutur. That is, the only time that Reuven would be allowed to marry Shimon's

daughter would be in the case that it was done through her (i.e., she went to the Reuven to marry him).

But in the case that it was done מדעתו – with his knowledge, that is, if Reuven went to Shimon and asked him to convince his daughter to marry him this would be assur, as in this case it is considered that Shimon's actions (i.e., his talking to his daughter) benefitted Reuven.

However, according to the Ran in his first pshat and according to the Rosh and Tosefos, this would not be considered a forbidden benefit, and it would be mutur (unless one could argue and say that the case of the chosson asking the father to speak to his daughter is worse than the case in which the father speaks to his daughter on his own, because perhaps the fact that the father is doing the chosson's shlichus makes it worse as the actual fulfillment of the shlichus is considered a benefit, as we find earlier, ויש לפלפל ואמ"ל).

and this would come to him disturbing his son, something that the father does not want to happen. But although it is assur for the father to benefit from his son, the son is allowed to do these small acts for his father. The Ran explains that since the reason the father made this neder was to prevent himself from disturbing his son, these small acts are assumed to not have been included in the neder. Since these acts are so small and not time-consuming, they will not lead to bittul Torah, and as such, we assume that they were not included in the neder.

Acts that One is Allowed to Do Even For Someone that He is Not Allowed to Benefit

R' Yirmiyah said אָמַר רַבִּי יִרְמְיָהּ
 that R' Yochanan said אָמַר רַבִּי יוֹחָנָן
 one who is forbidden with a neder הַמְנַדֵּר
 from getting benefit from his friend מִחֲבִירוֹ
 it is mutur (for that person) מוֹתֵר
 to give him to drink לְהַשְׁקוֹתוֹ
 from the kos of shalom (the cup of peace) כּוֹס שְׁלֹמֹם
 מאי ניהו What is it נִיְהוּ
 here (in Bavel) they translated הִכָּא תְּרַגְּמוּ
 it as the kos כּוֹס
 of the house of an aval (mourner) שֶׁל בֵּית הָאָבֵל
 (but) in the west (i.e., Eretz Yisroel) בְּמַעֲרָבָא
 they say אָמְרֵי
 (it refers) to the kos כּוֹס
 of the bathhouse שֶׁל בֵּית הַמְּרַחֵץ

Shimon is not allowed to give benefit to Reuven and yet Shimon is still allowed to give him the kos shel shalom. The “Kos shel Shalom” either refers to the kos that is given to the avaylim (mourners) as they are sitting shiva in order to cheer them up. Or it refers to the kos that is given to people after they go to the bath house. The Rosh explains that this refers to the hot cup of water that is given to people after they leave the bath house. The Gemara in meseches Shabbos tells us that someone who takes a hot bath but does not drink hot water afterwards is similar to a person who heats up a stove from the outside and not the inside (the benefit of doing as such is obviously minimal).

The Ran explains that the reason why Shimon is allowed to do these things for Reuven is because all of these actions are not considered as benefits for Reuven but rather they are considered as acts that are just done to preserve the peace (i.e., common courtesy).

The Ran points out that his is all true if Shimon is giving Reuven, Reuven’s wine or water (and the action of pouring the wine is not considered a benefit). If, however, Shimon is giving his own wine to Reuven, this would be assur as Reuven would be benefiting from what belongs to Shimon (however there are those Rishonim who hold that even if the wine belongs to Shimon, it would still be mutur, as this benefit is so minute as is only considered a courtesy).

The Difference Between Feeding a Person’s Animals and Feeding a Person’s Slaves

The Mishna said that if Shimon is not allowed to give benefit to Reuven, then:

And he (Shimon) וְלֹא יִזוֹן
 cannot feed his (Shimon’s) animal אֶת בְּהֵמָתוֹ
 whether etc. בֵּין כּוֹי
 We learned in a Baraisa תַּנְיָא
 Yehoshua Ish Uza (a man of Uza) says יְהוֹשֻׁעַ אִישׁ עוּזָא אָמַר
 he can feed his slaves וְזוֹן עֲבָדָיו
 and maids וְשִׁפְחוֹתָיו
 who are Caanim (i.e., his non-Jewish) הַכְּנַעֲנִים
 and he cannot feed his animals וְלֹא יִזוֹן אֶת בְּהֵמָתוֹ
 whether they are tamei or tahor בֵּין טְהוֹרָה

Although Shimon is not allowed to feed Reuven’s animals, whether they are tamei or tahor, he is allowed to feed Reuven’s slaves.

What is the reason (for this difference) מַאי טַעְמָא
 slaves and maids עֲבָדָיו וְשִׁפְחוֹתָיו
 that are Caanim הַכְּנַעֲנִים
 are set to be tore apart לְמַנְחָרוֹתָא עֲבִידוֹן
 (but an) animal בְּהֵמָה
 is set to be fattened לְפִטוּמָא עֲבִידָא

After a slave dies, there is no use for the body, i.e., it is not sold to be eaten or thrown to the dogs. As such, their bodies are said to be ‘torn apart’, i.e., they are thrown away without any use for them. The Ran in his first explanation, has a different girsa of the Gemara. In his girsa, the Gemara says that the slaves are לְמַנְקָרוּתָא עֲבִידוֹן – set for cleaning, the reason that you have slaves is for their work, and not for their meat.

If so, according to both explanations we understand the difference between a person’s slaves and his animals very well. An animal is kept to be fattened in order to get a higher price for it when it is sold. Therefore, if Shimon will feed Reuven’s animal,

it will be considered a benefit for Reuven, even if Shimon feeds Reuven's non-kosher animals.

But there will be no problem with Shimon feeding Reuven's slaves, as Reuven has no benefit from Reuven feeding them.

Once again, the Ran says as he did before, that all of this is only referring to the extra food that one gives to his animals and slaves, but it would certainly be assur for Shimon to give Reuven's slaves the food that they need to survive.

with regard to the food that the slaves need to survive, this would certainly be assur for Shimon to give to Reuven's slaves.

משנה

One who is forbidden with a neder **המוֹדֵר**

(to get) benefit **הַנָּאָה**

from his friend **מִחֲבִירוֹ**

and he enters to visits him **וְנִכְנֵס לְבַקְרוֹ**

he stands **עוֹמֵד**

and he cannot sit **אֲבָל לֹא יוֹשֵׁב**

and he can heal him **וּמְרַפְאוֹ**

a healing of the nefesh (to be explained) **רְפוּאַת נֶפֶשׁ**

but not a healing of money **אֲבָל לֹא רְפוּאַת מָמוֹן**

The Gemara will explain who is sick; the one who can give benefit or the one that cannot get benefit. The Gemara will also explain the intent of last halacha of the Mishna.