

וְשֵׁטִיחַ. "בְּחֶסֶר כֹּל" – אָמַר רַבִּי אָמִי אָמַר רַב: בְּלֹא נֵר וּבְלֹא שֵׁלְחָן, רַב חֲסִידָא אָמַר: בְּלֹא אִשָּׁה, רַב שֵׁשֶׁת אָמַר: בְּלֹא שְׂמֵשׁ, רַב נַחְמָן אָמַר: בְּלֹא דַעְוָה. תַּנָּא: בְּלֹא מֶלֶח וּבְלֹא רֶבֶב.

אָמַר אַבְיִי: נִקְטִינָּה, אִין עֲנִי אֶלָּא בְּדַעְוָה. בְּמַעְרְבָא אָמְרִי: דְּדָא בִּיה – בּוּלָא בִּיה, דְּלֹא דָא בִּיה – מַה בִּיה, דָּא קִנְי – מַה קִּסְר, דָּא לָא קִנְי – מַה קִּנְי.

אָמַר רַבִּי אֶלְפִּינְדִּירִי אָמַר רַבִּי חִיָּיא בְּרַב אָבָא: אִין חֲחוּלָה עוֹמֵד מִחֲלוּ עַד שְׂמוּחֲלוּ לֹו עַל כָּל עוֹנוֹתָיו, שְׁנַאֲמַר "הַסֵּלַח לְכָל עֲוֹנוֹתֶיךָ הָרַפָּא לְכָל תַּחֲלוּאֵיכִי". רַב הַמְּנוּנָא אָמַר: חוּזַר לִימֵי עֲלוּמְיוֹ, שְׁנַאֲמַר "רֵטֶפֶשׁ בְּשָׂרוֹ מִנְעַר יָשׁוּב לִימֵי עֲלוּמְיוֹ". כָּל מִשְׁכָּבוּ הִפְכַּת בְּחֲלוּ" – אָמַר רַב יוֹסֵף: לוֹמַר דְּמִשְׁכָּב תִּתְּמוּדוּ.

רַב יוֹסֵף חָלַשׁ, אִיעֻקַּר לִיה תְּלִמוּדֵיהָ, אֶהְדְּרִיה אַבְיִי קַמֵּיהָ. הֵינְי דְּבָכֵל דְּכִתָּא אָמְרִינָּה: אָמַר רַב יוֹסֵף: לָא שְׂמֵי עַל לִי הָדָא שְׂמַעְתָּא, אָמַר לִיה אַבְיִי: אֵת אָמְרֵיהָ נִיחֵלָן, וּמַהָּא מִתְּנִיתָא אָמְרֵיהָ נִיחֵלָן.

and a rug, as an exile needs those items and they are portable. The Sages interpreted the following verse describing the exile experience: "Therefore shall you serve your enemy whom the Lord shall send against you, in hunger, and in thirst, and in nakedness, and in want of all things;^N and he shall put a yoke of iron upon your neck, until he has destroyed you" (Deuteronomy 28:48). **Rabbi Ami said that Rav said:** "In want of all things" means **without a lamp and without a table to eat upon. Rav H̄isda said: Without a wife. Rav Sheshet said: Without an attendant to aid him. Rav Nah̄man said: Without intelligence.** One of the Sages teaches in a *baraita*: **Without salt and without fat [revav]¹ in which to dip his bread.**

Abaye said that we have a tradition: **A poor person is only one lacking in intelligence, in agreement with the opinion of Rav Nah̄man. In the West, Eretz Yisrael, they say: One who has this attribute, intelligence, in him has everything in him. One who does not have this attribute in him, what is in him? If he acquired this, what else is lacking? If he has not acquired this, what has he acquired?^N**

§ **Rabbi Alexandri said that Rabbi H̄iyya bar Abba said: The sick person recovers from his illness only when the heavenly court forgives him for all his sins,^N as it is stated: "Who forgives all your iniquity; Who heals all your diseases" (Psalms 103:3).** Rav Hamnuna said: **When he recovers, he returns to the days of his youth,^N as it is stated in a verse with regard to one recovering from illness: "His flesh is tenderer than a child's; he returns to the days of his youth" (Job 33:25).** Interpreting the verse: "The Lord will support him upon the bed of suffering; **You overturned all his lying down in his illness" (Psalms 41:4), Rav Yosef said: That is to say that the sick person forgets his studies,^{NB} as everything that is organized is overturned.**

The Gemara relates: **Rav Yosef^P himself fell ill and his studies were forgotten. Abaye^P restored his studies by reviewing what he had learned from Rav Yosef before him. This is the background for that which we say everywhere throughout the Talmud, that Rav Yosef said: I did not learn this halakha, and Abaye said to him in response: You said this to us and it was from this baraita that you said it to us.**

PERSONALITIES

Rav Yosef – רַב יוֹסֵף: Rav Yosef bar H̄iyya was one of the most prominent third-generation Babylonian *amora'im*. Rav Yosef was termed Sinai, while his colleague, Rabba, was characterized as one who uproots mountains. Sinai refers to one who received the Torah itself, i.e., one who is exceedingly knowledgeable in matters of *halakha* and whose opinions are based on the most authoritative sources. Because of this knowledge, he was recommended as the replacement for Rav Yehuda as the head of the yeshiva in Pumbedita. However, he deferred to Rabba and took the position only after Rabba's death. He served in that position for two years, until his own passing in the year 323 CE.

Abaye – אַבְיִי: One of the outstanding Sages of the Talmud, Abaye was a fourth-generation Babylonian *amora*. It is possible that his real name was Nah̄mani or Kilil and that Abaye was just a nickname.

Abaye was orphaned at an early age and was raised by his paternal uncle, Rabba. Abaye's foster mother, who was the nursemaid that assisted his uncle in raising him, impressed upon him many life lessons that he quotes in her name. The Gemara relates several stories that illustrate his intelligence even as a child, including several where Rabba tests him with questions.

Abaye was the primary student of his uncle and of Rav Yosef,

and after Rav Yosef's death, Abaye succeeded him as the head of the yeshiva in Pumbedita. In addition to his prominence as a Torah scholar, he was known for his righteousness and acts of kindness. He celebrated the study of Torah and would announce a celebration for the Sages whenever one of them completed a tractate. Although his uncle was a priest and the head of the yeshiva, he lived in poverty, as did Abaye, and therefore, he was aware of the difficulties of the Sages who lacked financial means. The Gemara in tractate *Berakhot* (35b) relates that Abaye observed that many were successful following the path of Rabbi Yishmael, who instructed his students to plow, plant, and harvest at the appropriate time, and that only a few were successful following the path of Rabbi Shimon bar Yoḥai, who taught that one should devote himself entirely to Torah and ignore worldly pursuits.

Abaye's exchanges and halakhic disputes with Rabba and, even more so, with Rav Yosef, are found throughout the Talmud. However, his disputes with his colleague Rava are especially significant. Their disputes, known as the discussions of Abaye and Rava, are examples of profound and edifying disputes and are among the foundations of the Babylonian Talmud. In these disputes, with six exceptions, the *halakha* is ruled in accordance with the opinion of Rava.

NOTES

In want of all things – בְּחֶסֶר כֹּל: Apparently, each of these Sages explained the verse based on his life experience. Rav, who previously stated that the implements of exile are a lamp, a bowl, and a table, holds that people require those items and considers their lack to be the "want of all things." Rav H̄isda said (*Kiddushin* 29b) that the reason he is superior to his colleagues is due to the fact that he married at a young age; therefore, his definition of one who is "in want of all things" is one without a wife. Rav Sheshet, who was blind and needed an attendant, stated that one without an attendant is "in want of all things" (*Iyyun Ya'akov*).

If he has not acquired this, what has he acquired – דָּא לָא קִנְי מַה קִּנְי: This means that if one lacks intelligence, he does not know how to utilize his possessions properly and it is as though he has nothing (Ran). The Maharsha explains possessions to be referring to both material and spiritual possessions. This explains why genuine poverty is lack of intelligence, as the property of one lacking intelligence has no value.

Only when the heavenly court forgives him for all his sins – עַד שְׂמוּחֲלוּ לֹו עַל כָּל עוֹנוֹתָיו: Anyone ill is considered to be in a situation of danger, at which point one is judged for his actions, and there is concern that he might die as a result. If he recovers, clearly he was judged to be innocent. Furthermore, his suffering atones for his sins. Therefore, when he is cured, his sins are forgiven (Rabbi Yitzḥak Tzarfati).

He returns to the days of his youth – חוּזַר לִימֵי עֲלוּמְיוֹ: *Tosafot* explain according to the plain meaning of the expression, that one is healthier after recovery than he was before the illness. See Rava's statement beginning at the end of 41a. However, Rashi explains that the meaning is that he returns to his youth in the sense that his sins are expiated, so he is like a child without sin.

That is to say that he forgets his studies – לוֹמַר דְּמִשְׁכָּב: The Rosh and the Ran derive this from the verse "he returns to the days of his youth [*alumav*]." The term *alumav* is from *alum*, meaning concealed, indicating that he returns to a time when he knew nothing. Others explain likewise, that he is restored to his childhood, when he had not yet learned anything (Riaf). These explanations are apparently based on a variant reading of the Gemara, as, in the version printed here, the fact that one forgets his studies is derived from the verse "You overturned all his lying down [*mishkavo*] in his illness." However, the relationship between this verse and that which is derived from it is unclear. Some explain that *mishkavo* is an abbreviation for *meshekh bo* meaning that in which he was engaged, i.e., his studies. Alternatively, the reference is to the basic material that he learned by heart, e.g., *mishnayot* and *baraitot*, that lie there in his mind (*Shita Mekubbetzet*).

LANGUAGE

Fat [revav] – רֶבֶב: This refers to oily materials like fat and the like. Once it also meant stain, originally a stain from fat.

BACKGROUND

Forgets his studies – מִשְׁכָּב תִּתְּמוּדוּ: There are various afflictions that attack the brain first, e.g., internal hemorrhaging and meningitis, which can severely curtail brain function and lead to coma. Some infectious diseases do not directly afflict the brain, e.g., measles and whooping cough, but complications resulting from those diseases can lead to brain damage. These afflictions can damage various sensory centers as well as consciousness and cognition. Therefore, they can cause full or partial memory loss.

PERSONALITIES

Rabbi Yehuda HaNasi – רבי: The period of the *tanna'im* concluded with Rabbi Yehuda HaNasi's redaction of the Mishna. The son of Rabbi Shimon ben Gamliel II, Rabbi Yehuda HaNasi lived from 135–220 CE. When he was thirty years old he was appointed as *Nasi*, and his great scholarship led him to be referred to in the Talmud simply as: Rabbi. Rabbi Yehuda HaNasi spoke Greek, which was the language spoken by the elite in Eretz Yisrael, and he was friendly with the Roman emperor Antoninus. His knowledge of Hebrew was legendary, to the extent that the Sages learned the meaning of difficult words from servants employed in his household.

Rabbi Hiyya – רבי חייא: Rabbi Hiyya ben Abba, from the city of Kafri in Babylonia, was among the last *tanna'im*. He was descended from a family of distinguished lineage that traced its ancestry back to King David and produced many Sages. While he was still in Babylonia, Rabbi Hiyya was considered a Torah luminary, and when he ascended to Eretz Yisrael with his family, some, speaking in hyperbole, said that the Torah was on the verge of being forgotten until he came from Babylonia and reestablished it.

When Rabbi Hiyya came to Eretz Yisrael, he became a disciple and a colleague of Rabbi Yehuda HaNasi, developing a very close relationship with him. He was especially close to Rabbi Yehuda HaNasi's son, Shimon, who was also his business partner. Rabbi Hiyya was among the prominent Torah scholars in his generation and was a close advisor of his nephew, Rav, who, although known as the rabbi of all Israel, received certain traditions from Rabbi Hiyya. In addition to his prominence as a Torah scholar, Rabbi Hiyya was exemplary in his piety, as reflected in anecdotes related throughout the Talmud.

LANGUAGE

Mule [*giredona*] – גירדונא: Apparently, it should be read *giderona*, from the Greek γάιδραρος, *gaidaron*, meaning small donkey

Bridge [*tittora*] – תיתורא: This means bridge; an item that connects two parts.

Frightened [*istavveit*] – איסתויט: This is the reflexive form of the root *samekh, yod, tav*, which appears in the noun form as *siuta*, meaning nightmare or sudden fear. Therefore this means one stricken with sudden panic. Some hold that this is a variation of the Aramaic *ziata*. Others consider it an independent root with this unique meaning.

Frog [*kerokita*] – קרוקיתא: This word seems to be onomatopoeic, as it approximates the croaking of a frog.

HALAKHA

One visits neither those with intestinal illness, nor those with eye illness, nor those suffering from headaches – אין מבקרין לא חולי מעיים, ולא חולי העין, ולא מחושי – הראש: One should not visit one suffering from a stomach illness, eye illness, or headaches, and in general, one should not visit anyone for whom speaking causes discomfort. One should not directly visit a person in that condition. However, he enters an outer room, inquires whether he can be of any assistance, and prays for the well-being of the patient (Rambam *Sefer Shofetim, Hilkhot Evel* 14:5; *Shulhan Arukh, Yoreh De'a* 335:8).

כי הוה גמיר רבי תלת עשרי אפי הילכתא – אגמריה לרבי חייא שבועה מנהון. לטוף חלש רבי, אהדר רבי חייא קמיה הנהו שבועה אפי דאגמריה. שיתא אודו. הוה ההוא קצרא. הוה שמיע ליה לרבי בדהוה גריס לה, אול רבי חייא וגמר יתהון קמי קצרא, ואתא אהדר יתהון קמי רבי. בד הוה חזי ליה רבי לההוא קצרא אמר ליה רבי: אתה עשית אותי ואת חייא. איבא דאמר רבי חייא קאמר ליה: אתה עשית את חייא, וחייא עשה אותי.

ואמר רבי אלכסנדרו אמר רבי חייא בר אבא: גדול נס שנעשה לחולה יותר מן הנס שנעשה לחנניה מישאל ועזריה. של חנניה מישאל ועזריה – אש של הדיוט, והבל יכולים לכבותה. וזו של חולה – של שמים היא, ומי יכול לכבותה?

ואמר רבי אלכסנדרו אמר רבי חייא בר אבא, ואמרי לה אמר רבי הושע בן לוי: בין שהגיע קיצו של אדם – הכל מושלים בו, שנאמר 'והיה כל מצאי יהרגני'. רב אמר: מן הדין קרא – 'למשפטין עמדו היום כי הכל עבדיך'.

רבה בר שילא אמרו ליה: שכיב גברא. גבוה הוה רביב גירדונא וזטרא. מטא תיתורא איסתויט, שדייה וקא שכיב. קרי על נפשיה: 'למשפטין עמדו היום'.

שמואל חזייה לההוא קרוקיתא דעקרבא יתיבא על אקרוקתא ועבריה נהרא, טרקא גברא ומיית. קרי עליה: 'למשפטין עמדו היום'.

אמר שמואל: אין מבקרין את החולה אלא למי שחלצתו חמה. לאפוקי מאי? לאפוקי הא דתנא, רבי יוסי בן פרטא אמר משום רבי אליעזר: אין מבקרין לא חולי מעיים, ולא חולי העין, ולא מחושי הראש. בשלמא חולי מעיים – משום כיסופא, אלא חולי העין, ומחושי הראש מאי טעמא?

The Gemara relates: When Rabbi Yehuda HaNasi^p would learn thirteen aspects of a *halakha* on a certain issue, he taught Rabbi Hiyya^p seven of them. Ultimately, Rabbi Yehuda HaNasi fell ill and forgot all thirteen aspects. Rabbi Hiyya restored those seven aspects that Rabbi Yehuda HaNasi taught him by reviewing them before Rabbi Yehuda HaNasi. However, six were gone and forgotten, as Rabbi Yehuda HaNasi had not taught them to anyone. There was a certain launderer who would hear Rabbi Yehuda HaNasi when he was studying those *halakhot*. Rabbi Hiyya went and learned those *halakhot* from the launderer and he came and restored them by reviewing them before Rabbi Yehuda HaNasi. When Rabbi Yehuda HaNasi saw that launderer, Rabbi Yehuda HaNasi said to him: You made me and Hiyya, as we were able to learn these *halakhot* that otherwise would have been forgotten. Some say that this is what he said to the launderer: You made Hiyya, and Hiyya made me.

And Rabbi Alexandri said that Rabbi Hiyya bar Abba said: Greater is the miracle performed for the sick person than the miracle that was performed for Hananiah, Mishael, and Azariah, who were rescued from the fiery furnace (see Daniel, chapter 3), as in the miracle of Hananiah, Mishael, and Azariah, they were rescued from the fire of a layman, and anyone is capable of extinguishing it. And that fire afflicting a sick person with a fever is the fire of Heaven, and who can extinguish it?

And Rabbi Alexandri said that Rabbi Hiyya bar Abba said, and some say Rabbi Yehoshua ben Levi said: Once the end of the time allotted for the life of a person arrived, everything has dominion over him, as it is stated that Cain said: "Whosoever finds me will slay me" (Genesis 4:14). Cain feared that since God sentenced him to death he would be susceptible to all threats and vulnerable to anyone seeking to murder him. Rav said that it is derived from this verse: "They stand this day according to Your judgments; for all are Your servants" (Psalms 119:91). When the decree emerges from Heaven that the time has arrived for a person to die, everyone is a servant of God, an agent to kill him.

The Gemara relates that people said to Rabba bar Sheila: A man died. This person was tall and was riding on a small mule [*giredona*].¹ When he reached a bridge [*tittora*],¹ the mule was frightened [*istavveit*]¹ and cast off the rider, and although the rider was tall and the mule was short and the rider did not fall far, he died. Rabba bar Sheila read the verse and applied it to the rider: "They stand this day according to Your judgments."

Shmuel saw a certain frog [*kerokita*],¹ and also noticed that a scorpion was sitting upon the frog and the frog crossed the river. The scorpion stung a man on the other side of the river and the man died. Shmuel read and applied the verse to the dead man: "They stand this day according to Your judgments." Even the frog and scorpion are servants and agents of God. The only way the scorpion could reach the man and kill him was by means of the frog taking it across the river.

Shmuel said: One visits a sick person only if that person is one whom fever overcame. The Gemara asks: What illnesses does this statement come to exclude? The Gemara answers: It comes to exclude that which is taught in a *baraita*: Rabbi Yosei ben Perata says in the name of Rabbi Eliezer: One visits neither those with intestinal illness, nor those with eye illness, nor those suffering from headaches.¹¹ The Gemara asks: Granted, one does not visit those with intestinal sickness, due to the sick person's embarrassment, as he would need to frequently relieve himself and it would be awkward for him in the presence of the visitor. However, what is the reason that one does not visit those with eye illnesses and headaches?

משום דרב יהודה דאמר רב יהודה: דיבורא קשיא לעינא ומעלי לאישתא. אמר רבא: האי אישתא, אי לאו דפרוונקא דמלאכא דמותא – מעלי

The Gemara answers: It is due to that which Rav Yehuda said, as Rav Yehuda said: **Speech is injurious for the eye^b and beneficial for curing a fever.^b** Therefore, if one suffers from pain in his eye or his head it is better for him not to talk. If he has visitors, he will need to speak to them, which will cause him harm. Rava said: With regard to this fever [ishta],^l were it not the agent [parvanka]^l of the Angel of Death, i.e., the cause of serious, potentially deadly illnesses, it could be deemed beneficial,

BACKGROUND

Speech is injurious for the eye – דיבורא קשיא לעינא – This may be because one typically looks into the eyes of whoever speaks to him. Keeping one's eyes open and straining the muscles of the eye are particularly difficult for one suffering from an eye illness. Also, pain in the eyes is typically accompanied by a headache that is exacerbated by noise.

Beneficial for curing a fever – מעלי לאישתא: It may be that the benefit of the easing of fever is primarily psychological, by taking the sick person's mind off the fever and the chill that accompanies it.

LANGUAGE

Fever [ishta] – אישתא: Literally meaning fire, this word is used as a term for fever and particularly for various forms of malaria.

Agent [parvanka] – פרוונקא: From the Middle Iranian term, parwānak, meaning a guide or messenger.

Perek IV
Daf 41 Amud b

כחיוורא לדיקלי, חד לתלתין יומין וכי תירייקי לגופא. רב נחמן בר יצחק אמר: לא היא ולא תירייקה.

like thorns for palm trees, as the thorns prevent people and animals from touching and ruining the dates. The fever is advantageous if its incidence is once in thirty days, and it is like an antidote [tiraiki]^l for poison in the body. Rav Naḥman bar Yitzḥak said: It is preferable for one to have neither fever nor the benefits of its capacity to serve as an antidote.^b

LANGUAGE

Antidote [tiraiki] – תירייקי: From the Greek θηριακῆ, thēriakē, a purported antidote for snake venom. It was highly valued during the Middle Ages and was prepared from a large number of ingredients. It was believed to be a wonder drug effective against all kinds of poison and venom.

Fine flour [semida] – סמידא: Related to the Greek σμιδαλις, smidalis, meaning fine wheat flour.

Buredam – בורדם: Possibly from the Greek βροτός, brotos, meaning filled with blood, which describes a characteristic symptom of this sickness. From the description in the Gemara and the interpretation of the commentaries, it appears to be dysentery. This is a sickness with many causes, e.g., bacteria and amoebas, and is characterized by severe diarrhea containing blood and mucus. Due to the frequent diarrhea, which is unpleasant and causes significant pain, it is difficult for people suffering from this illness to receive visitors. Furthermore, dysentery is contagious and can be carried by tasting or handling food touched by the sick person

NOTES

From the beginning of the sifting process – דריש נפאי: Some explain that this refers to the kernels that remain stuck on the sieve due to their size (Rashi). Others claim that the reference is to the kernels that emerge at the beginning of the sifting process (Ran). Still others say that the reference is to fine flour ground from the kernels (Tosafot).

Buredam – בורדם: Some commentaries explain that this is persistent diarrhea (Arukh; Rashi) or a wound with pus (Rashi). However, most explain that it is dysentery.

Nor is the name of that illness mentioned – ואין מוכיין שמו: Some explain that the reason is that the sick person is embarrassed when others are told he is suffering from this illness (Tosafot; Rosh). Others assert that it is inappropriate language (Ran). See Rashi, who says that the mere mention of the illness is an evil harbinger.

אמר רבה בר יונתן אמר רב יחיאל: ערסן יפה לחולה לרפואתו. מאי ערסן? אמר רבי יונתן: חושלא דשערי עתיקתא דריש נפאי. אמר אבוי בעיין בישולא כעין בישרא דתורא. רב יוסף אמר: סמידי דשערי עתיקתא דריש נפאי. אמר אבוי בעיין בישולא כבשרא דתורא.

Rabba bar Yonatan said that Rav Yehiel said: **Arsan is beneficial for the sick person for his cure.** The Gemara asks: **What is arsan?** Rabbi Yonatan said: **It is old hulled barley from the beginning of the sifting process.ⁿ** Abaye said: **And that barley requires extensive cooking like the meat of a bull.^b** Rav Yosef said: **Arsan is fine flour [semida]^l ground from old barley from the beginning of the sifting process.** Abaye said: **And that flour requires extensive cooking like the meat of a bull.**

אמר רבי יוחנן: בורדם אין מבקרים, ואין מוכיין שמו. מאי טעמא? אמר רבי אלעזר: מפני שהוא כמעין הנובע. ואמר רבי אלעזר: למה נקרא שמו בורדם – שהוא כמעין הנובע.

Rabbi Yoḥanan said: **One does not visit** a person suffering from *buredam*,^{nl} an intestinal illness, **nor is the name of that illness mentioned,ⁿ** because it is embarrassing for the one suffering from the illness. The Gemara asks: **What is the reason that one does not visit him?** Rabbi Elazar said: It is due to the fact **that he is like a flowing spring,** as the symptom of the illness is severe diarrhea. **And Rabbi Elazar said: Why is the illness called buredam?** It is due to the fact **that the one suffering from the illness is like a flowing spring,** a bottomless pit [bor] of blood [dam].

BACKGROUND

Neither fever nor the benefits of its capacity to serve as an antidote – לא היא ולא תירייקה: A rise in body temperature of five or six degrees Fahrenheit is potentially dangerous and can even cause death, which is why it is characterized as an agent of the Angel of Death. On the other hand, certain bacteria and viruses are sensitive to heat, and when the body temperature rises it kills the bacteria and viruses and the person recovers from the illness, as is the case with malaria. There were periods when doctors would attempt to induce fever in order to overcome a more serious condition. However, the effectiveness of

that cure is unproven and the danger posed by a high fever is great.

Requires extensive cooking like the meat of a bull – בעיין בישולא כעין בישרא דתורא: Although various types of meal and fine flour may be nutritious and beneficial for the ill, the sick person may encounter difficulty digesting them due to his weakness. Therefore, Abaye said that they should be cooked for several hours, like the meat of a bull, in order to soften them and facilitate digestion.

LANGUAGE

Bath [ambati] – אמבטי: From the Greek ἔμβατη, embatē, meaning tub or other vessel used for bathing.



Small bathtub in Pylos, Greece, dating from 1300 BCE

BACKGROUND

A common platter – התמחוי: From descriptions in the sources it appears that this was an outsized vessel, like a large, deep platter used to serve several people. Most were apparently made of earthenware, although some were made of metals like copper and silver, and others of wood or glass. There were also very large platters divided into compartments so that various types of food could be placed on it separately.

”ומרפאהו רפואת הנפש” כו'. היכי קתני? אילימא דרפואת נפש – בחנם, רפואת ממון – בשכר, ליתני הכי: מרפאהו בחנם אבל לא בשכר! אלא: רפואת נפש – גופו, רפואת ממון – בהמתו. אמר רבי זוטרא בר טוביה אמר רב: אבל אומר לו ”סם פלוני יפה לך, סם פלוני רע לך”.

מתני' ורוחץ עמו באמבטי גדולה, אבל לא בקטנה, וישן עמו במטה.

רבי יהודה אומר: בימות החמה, אבל לא בימות הגשמים, מפני שהוא מדהנהו. ומיסב עמו על המטה, ואוכל עמו על השולחן, אבל לא מן התמחוי. אבל אוכל הוא עמו מן התמחוי החזור.

§ We learned in the mishna that if one is prohibited by a vow from deriving benefit from another, that other person **heals him** with a **cure of the nefesh**^N but not a cure of property [*mamon*]. The Gemara asks: **How is the mishna taught? If we say that cure of the nefesh means that he cures him for free and cure of mamon means that he cures him for a fee, then let the mishna teach this: He cures him for free but not for a fee. Rather, cure of the nefesh means that he cures his body, and cure of mamon^H means that he cures his animal. Rabbi Zutra bar Toviya said that Rav said: It is prohibited to cure the animal. However, he says to him: Such and such medicine is beneficial for the animal, and such and such medicine is harmful for the animal. Advice, as opposed to treatment, is not considered benefit.**

MISHNA And with regard to another person who is prohibited from deriving benefit from him, one may bathe with him in a large bath [ambati],^{LH} in which his presence does not affect the other person. However, he may not bathe with him in a small bath,^N as his presence moderates the temperature of water if it is too hot or too cold, thereby benefiting the other person. And he may sleep with him in one bed.^H

Rabbi Yehuda says: That is permitted during the days of summer, but he may not sleep with him in one bed during the rainy season, i.e., the winter, because he benefits him by warming the bed. And he may recline with him on a divan even during the rainy season, as no benefit is involved. And he may eat with him at the same table, but not from a common platter^B from which several people eat, as if one leaves food on the platter, the other derives benefit from him. However, he may eat with him from a platter that returns to the host, as everyone takes a small portion and leaves food on the platter. No benefit is derived. Since there is enough food for everyone, none of the diners receives part of another's portion.

NOTES

Cure of the nefesh – רפואת הנפש: Some explain (Ran; Rabbi Avraham min HaHar) that in the first interpretation, that cure of the nefesh means cure for free, the term nefesh is apparently related to will, as in the verse “if it is your will [nafshekhem]” (Genesis 23:8). However, according to the conclusion of the Gemara, nefesh means body, as is its meaning in several places in the Bible (Gilyon Maharsha).

אבל לא בקטנה: Many commentaries explain that the reason is that when one enters a small bath the water rises and covers the other person's body. Others say that by entering a small tub, he raises the temperature of the water (Rashi). There are also those who write that the concern is that more water will be added on his behalf, which would also benefit the other person (Tosefot Rabbeinu Peretz).

HALAKHA

Cure of mamon – רפואת ממון: One who vowed that benefit from him is forbidden to another may not cure the other person's animal; however, he may recommend medicines that are beneficial for the animal. If the one for whom benefit is forbidden is unable to cure his own animal and it might die, it is permitted for the one who vowed that benefit from him is forbidden to heal the animal, because it is tantamount to returning a lost item (Rambam Sefer Hafla'a, Hilkhot Nedarim 6:9; Shulhan Arukh, Yoreh De'a 221:4).

bathe together with him in a large bath but not in a small one, because by entering the small bath he raises the water level (Rambam Sefer Hafla'a, Hilkhot Nedarim 6:9; Shulhan Arukh, Yoreh De'a 221:5).

And he may sleep with him in one bed – וישן עמו במטה: It is permitted for one who vowed that benefit from him is forbidden to another to sleep with him in the same bed during the summer. He may not do so during the rainy season, because he thereby benefits him. In a large bed it is permitted in every season (Rambam Sefer Hafla'a, Hilkhot Nedarim 6:9; Shulhan Arukh, Yoreh De'a 221:5).

One may bathe with him in a... bath – ורוחץ עמו באמבטי: One who vowed that benefit from him is forbidden to another may

וְזוּיַע עִמּוֹ בְּקִטְנָה – וְזוּיַע עִמּוֹ בְּקִטְנָה – It is permitted for one who vowed that benefit from him is forbidden to another to sweat together with the other person in a small bath (*Shulḥan Arukh, Yoreh De'a 221:5*).

הוּא יֹאכַל עִמּוֹ עַל הַשֻּׁלְחָן אֲבָל לֹא מִן הַתְּמַחְוִי – He may eat with him at the same table but not from a common platter – One who vows that benefit from another is forbidden to him may eat with that other person at the same table but not from the same platter, lest he come to eat from the other person's portion. However, it is permitted if the host refills the platter after the food is eaten from it. It is also permitted if there is enough food on the platter for them to eat and return the remaining food to the host (Rema, citing Ra'avad; Rambam *Sefer Hafla'a, Hilkhhot Nedarim 6:9*; *Shulḥan Arukh, Yoreh De'a 221:5*).

נֹר מֵי עֲמֹל עִמּוֹ בְּשֵׂרָה בְּעֵמֶק – Nor may he work with him in the same row in a vineyard – For one for whom benefit from another is forbidden by vow, it is prohibited to dig in the same furrow in a vineyard with that other person, because he benefits from the other's digging, which softens the ground. If there is a distance between them it is permitted, in accordance with the opinion of the Rabbis (Rambam *Sefer Hafla'a, Hilkhhot Nedarim 6:17*; *Shulḥan Arukh, Yoreh De'a 221:5*).

GEMARA It is taught in a *baraita*: One may neither bathe with him in a bath nor sleep with him in a bed,^N and there is no difference whether it is a large bed or whether it is a small bed; this is the statement of Rabbi Meir. Rabbi Yehuda says: It is permitted for him to sleep with him in a large bed during the rainy season and a small bed during the days of summer, as no benefit is derived. He may bathe with him in a large bath and sweat with him in a small one,^H as his presence provides no benefit for the other. However, he may recline with him on a divan, and he may eat with him at the same table but not from a common platter.^{HN} However, he may eat with him from a platter that returns.^N Rabbi Yosei bar Ḥanina said: That means a platter that returns to the host.

MISHNA One may neither eat with him from the large vessel of food placed before the laborers, nor may he work with him in the same row in a vineyard;^{HN} this is the statement of Rabbi Meir. And the Rabbis say: He may work in the same row with him provided that he is at a distance from him. If he is close, the other would derive forbidden benefit from him.

GEMARA In a case where one is proximate to the other, the *tanna'im* do not disagree that it is prohibited for them to work together. When they disagree, it is in a case where one is distant from the other. Rabbi Meir holds: We issue a decree prohibiting their working together when one is distant from the other, due to the prohibition against their working together when one is proximate to the other, as he loosens for him the earth before him. And the Rabbis hold: We do not issue a decree.

גמ' תנא: לֹא יִרְחֹץ עִמּוֹ בְּאִמְבָּטִי, וְלֹא יִשָּׁן עִמּוֹ בְּמִטָּה, בֵּין גְּדוֹלָה בֵּין קְטַנָּה, דְּבִרְי רַבִּי מֵאִיר. רַבִּי יְהוּדָה אוֹמֵר: גְּדוֹלָה בַּיּוֹמֵי הַגֶּשֶׁמִּים, וְקְטַנָּה בַּיּוֹמֵי הַחֶמְדָּה – מוֹתֵר. וְרוֹחֵץ עִמּוֹ בְּאִמְבָּטִי גְּדוֹלָה, וְזוּיַע עִמּוֹ בְּקִטְנָה. אֲבָל מֵיִסַּב עִמּוֹ עַל הַמִּטָּה, וְאוֹכֵל עִמּוֹ עַל הַשֻּׁלְחָן, אֲבָל לֹא מִן הַתְּמַחְוִי. אֲבָל אוֹכֵל הוּא מִן הַתְּמַחְוִי הַחוּזֵר. אָמַר רַבִּי יוֹסֵי בְּרַחֲמֵינָא: מִן הַתְּמַחְוִי הַחוּזֵר לְבַעַל הַבַּיִת.

מתני' לֹא יֹאכַל עִמּוֹ מִן הָאֵבוֹס שְׁלִפְנֵי הַפּוֹעֲלִים, וְלֹא יַעֲשֶׂה עִמּוֹ בְּאוֹמֶן, דְּבִרְי רַבִּי מֵאִיר. וְחֻקִּים אוֹמְרִים: עוֹשֶׂה הוּא בְּרַחוּק מִמֶּנּוּ.

גמ' בקרוב – לֹא פְּלִיגֵי דְאִסְרֵי, כִּי פְּלִיגֵי – בְּרַחוּק; רַבִּי מֵאִיר סָבַר: גְּזוּרֵינָא רַחוּק מִשּׁוּם קְרוּב, דְּקָא מְרַפֵּי לָהּ לְאַרְעָא קַמֵּיהּ. וְרַבֵּנָא סָבְרִי: לֹא גְזוּרֵינָא.

NOTES

Nor sleep with him in a bed – וְלֹא יִשָּׁן עִמּוֹ בְּמִטָּה – Some hold that the mishna is the opinion of Rabbi Yehuda and he does not dispute the beginning of the mishna, but merely explains it (Rashba; Ran). Others hold that there are three separate opinions here. Rabbi Meir does not distinguish between a large and a small bath, or between a large and a small bed, or between the summer and the rainy season, and he rules that bathing or sleeping with the other person is prohibited in all cases. The first *tanna* rules that sleeping with him is permitted in any kind of bed, and Rabbi Yehuda rules that it is prohibited only in a small bed during the rainy season (Rid; Ritz).

But not from a common platter – אֲבָל לֹא מִן הַתְּמַחְוִי – Some interpret this to mean that the concern is that one might eat less, thereby benefiting the one to whom benefit is forbidden (Ran). Others explain that the concern is that the homeowner might provide better food because of the one who vowed that benefit from him is forbidden, thereby benefiting the one to whom benefit is forbidden (Rashi; Meiri; Rid). Another possibility is that the concern is that the one who vowed that benefit from him is forbidden will offer the vessel with the food to the one for whom benefit is forbidden or offer him a larger portion, as an act of courtesy (Rambam).

From a platter that returns – מִן הַתְּמַחְוִי הַחוּזֵר – One explanation brought by Rashi and others (Jerusalem Talmud; Rosh; Ran) is

that the reference is to a platter so large that the remainder returns to the host and no one benefits from the fact that others ate less. Others explain that after each person takes a portion, the host sends the platter around again so everyone can take additional portions. No one benefits from the food left by others (*Arukh*; Ritva). Alternatively, the reference is to a case where after each person takes his portion, the host takes the bowl and places it before the next person (Rambam). Others explain that guests typically divide the food remaining on the platter and take it home. Therefore, if one eats less, others benefit. However, if it is a platter that returns to the host, no one benefits from the fact that others eat less (Rashi). In the Jerusalem Talmud another explanation is cited, that the reference is to portions cut on a platter, where the host sends the platter around and each person takes one of the portions.

Nor may he work with him in the same row in a vineyard – נֹר מֵי עֲמֹל עִמּוֹ בְּשֵׂרָה בְּעֵמֶק – The Gemara is apparently speaking of digging in adjacent furrows. The Rambam in his Commentary on the Mishna and Rabbi Ovadya Bartenura explain that the reference is to harvesting produce from the furrows, as cutting the produce in one furrow facilitates work in the adjacent furrow. The Rambam rules in the *Mishne Torah* that it is prohibited by decree, lest one come to assist the other, from whom benefit is forbidden, in his own harvest (see *Kesef Mishne*).