

## Here, he is not destroying the principal

## הא דלא מכליא קרנא –

### OVERVIEW

The גמרא states that (were it not for the פסוק of 'משלחי רגל וגו') we would have interpreted ושלח to refer to שן in a case of קרנא (and ובער would refer to a case of קרנא). (מכליא קרנא). רש"י and תוספות have differing opinions as to the interpretation of קרנא.

פירש הקונטרס<sup>1</sup> שחת שעתיד לצמוח אבל לא כתחלה<sup>2</sup> -

רש"י explained that the meaning of קרנא is in a case where an animal ate the immature crop as fodder. It will eventually grow back but not as it would have initially, had the animal not eaten it. It is considered קרנא, since the crop is not totally destroyed; it is merely diminished.

פרש"י has a difficulty with תוספות:

וקשה והא מכליא קרנא שגם הבעלים הם יכולים לקצור -

And this explanation is difficult! For this should be considered קרנא; since the owners were also capable of harvesting these stalks for fodder, and they lost this opportunity due to the animal of the מזיק. The loss of fodder should be considered קרנא!

ל: מכליא קרנא offers a different explanation of תוספות:

אלא יש לומר שטנפה פירות<sup>3</sup> להנאתה<sup>4</sup> -

We can rather say that she soiled fruits for her pleasure. The fruits can be cleaned and the קרנא is not destroyed. There is however some damage to the fruits, for their quality is somewhat diminished.

תוספות resolves an anticipated question:

מכל מקום קרי ליה לקמן לטניפת פירות להנאתה תולדה -

Nevertheless, notwithstanding what we are now maintaining that טנפה פירות להנאתה can be derived from the תורה,<sup>5</sup> nevertheless the גמרא later calls להנאתה

<sup>1</sup> בד"ה אידי.

<sup>2</sup> The animal ate the tops of the (immature) stalks, and left over a sufficient amount of the stalks to enable it to produce the crop.

<sup>3</sup> טנפה פירות, (seemingly) refers to grains and the like, which can withstand (to a degree) the פירות.

<sup>4</sup> See later on this עמוד that טנפה פירות להנאתה is a תולדה of שן, since it is done for her pleasure. See רש"י there ד"ה ושלח that it means she rolled on the פירות, etc.

<sup>5</sup> The גמרא shortly states that (even if the word ובער is referring only to קרנא, nevertheless) we derive מכליא קרנא from the היקש of רגל. This היקש is considered as if it is written in the תורה, and therefore להנאתה should be considered an אב. [Alternately according to the מסקנא we derive שן from ושלח.] See 'Thinking it over' # 2.

merely a תולדה of שן and not an אב; seemingly it should be considered an אב!

- תולדה דשן is a טנפה פירות להנאתה responds that תוספות

**כיון דפשטיה דקרא איירי באכילה דמכליא קרנא:**

**Since the obvious interpretation of the פסוק refers to eating, which is מכליא**  
**קרנא.** Therefore any type of damage besides eating is referred to as a תולדה, even though that the תורה alludes to it.

## **SUMMARY**

According to רש"י the meaning of לא מכליא קרנא is אכלה שחת; while according to תוספות it refers to טנפה פירות (which nevertheless remains a תולדה since the פסוק is discussing eating).

## **THINKING IT OVER**

1. Is אכלה שחת an אב, or a תולדה?

2. תוספות maintains that לא מכליא קרנא, which we ultimately derive from a היקש, is referring to טנפה פירות להנאתה.<sup>6</sup> Why is the היקש necessary; seemingly even without the היקש we would now that טנפה פירות להנאתה is חייב for it is a תולדה דשן, just as?!<sup>7</sup> נתחככה בכותל להנאתה is a תולדה of שן?

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<sup>6</sup> See footnote # 5.

<sup>7</sup> See אמ"ה and חדושי הרשב"א.