

A woman; whether large or whether small – אשה בין גדולה ובין קטנה –

OVERVIEW

The ברייתא stated if one hires a donkey to have a man ride on it, a woman should not ride on it, etc. and if it was rented for a woman, any woman may ride on it whether big or small. תוספות explains why this rule was not stated regarding men.

באיש לא רצה לשנות בין קטן בין גדול -

The ברייתא **did not want/need to teach** us **regarding** renting a חמור **for a man**; that any man may ride on the donkey, **whether small or big** -

משום דגברי שכיח שהם גדולים¹ ופשיטא דאדעתא דגדול נמי אגריה ניהליה:

Because large men are common, so it is obvious that the משכיר rented out the donkey to him with the intent that it may be used **for large people as well** (since he made no such stipulation). There was no need for the ברייתא to teach this rule. [Large women, however, are not that common; therefore the ברייתא teaches us that large women are included.]

SUMMARY

It is obvious that when a donkey is hired for a man to ride on it, it may be used for all men big and small.

THINKING IT OVER

תוספות writes² that large men are common (therefore the ברייתא has no need to permit them to ride); indicating that large women are not that common (therefore the ברייתא needs to permit them to ride). However from the ברייתא (which states, (לרכוב עליה איש לא ירכוב עליה אשה)³ it is apparent that women are larger than men.³ How can we reconcile this apparent contradiction?⁴

¹ See 'Thinking it over'.

² See footnote # 1.

³ See סמ"ע חו"מ ריש סי' שח.

⁴⁴ See אמתחת בנימין.