

15.3.4

24b (משנה ב) → 25a (ואי לא לא)

.1 ולא אתכם לבדכם אנכי פרת את הברית הזאת ואת האלה הזאת: דברים כט, יג

.2 ועברתי בארץ מצרים בלילה הזה והפיתי כל בכור בארץ מצרים מאדם ועד בהמה ובכל אלהי מצרים אעשה שפטים אני ה': שמות יב, יב

.3 והיה לכם לציצת וראיתם אתו וזכרתם את כל מצות ה' ועשיתם אתם ולא תתרו אחרי לבבכם ואחרי עיניכם אשר אתם זנים אחריהם: במדבר טו, לט

.4 וזאת תורת המנחה הקרב אתה בני אהרן לפני ה' אל פני המזבח: ויקרא ו, ז

.5 דבר אל אהרן ואל בניו לאמר זאת תורת החטאת במקום אשר תשחט העלה תשחט החטאת לפני ה' קדש קדשים הוא: ויקרא ו, יח

.6 וזאת תורת האשם קדש קדשים הוא: ויקרא ז, א

- I נדרים (2nd category of implicitly invalid נדרים) **משנה ב'**
- a *example*: a נדר contingent on having seen “as many people as left Egypt” or “a snake the size of an olive-beam”
 - b *however*: שבועות of the same type are valid
 - i *Example1* (אביי): if he made a שבועה that he saw כיוצאי מצרים
 - 1 *Counter* (רבא): then why is it valid? (he merely stated an exaggeration – שבועת שקר)
 - ii *Example2*: he prohibited X on himself as a שבועה, contingent upon having seen כיוצאי מצרים
 - 1 *Challenge*: perhaps he was referring to an ant’s nest (e.g.) which he called כיוצאי מצרים
 - 2 *Response*: his oath follows conventional meaning – and we don’t make such references
 - (a) *Challenge*: ברייתא rules that when ב”ד administers an oath, they explicate that the words follow standard meaning, not his own subjective slant
 - (i) *Implication*: oaths may have subjective referents
 - (ii) *Alternative implication (and rejection)*: their clarification is meant to block a case like the cane and רבא (case where a man swore that he had returned a debt, when he had not paid it up but, at the ב”ד, brought his cane and stuffed it with money and disingenuously handed it to the plaintiff and then swore “honestly”)
 - (b) *Challenge*: ברייתא teaches that when מרע”ה administered the oath at ערבות מואב (v. 1), he stated that it wouldn’t follow their subjective meanings, rather his (standard) meaning
 - (i) *Implication*: sometimes people refer to עבודה זרה as a “god”
 - 1. *explanation*: someone could worship ע”ז and state that he is “worshipping god” and not violating the oath, as he meant it
 - 2. *rejection*: idols are sometimes called “god” (v. 2)
 - 3. *therefore*: he could have directed them “to fulfill מצוות”
 - a. *rejection*: might be construed as “king’s commands”
 - 4. *possibility*: he could have directed them to fulfill “all of the מצוות” [v. 3]
 - a. *rejection*: might refer to ציצית (compared to “all of the מצוות” [v. 3])
 - 5. *possibility*: he could have directed them to fulfill “the תורה”
 - a. *rejection*: implication is “תורה 1” (written)
 - 6. *possibility*: he could have directed them to fulfill “תורות”
 - a. *rejection*: may refer to תורה of various offerings (vv. 4-6)
 - 7. *possibility*: he could have adjured them regarding תורה ומצוות
 - a. *rejection*: as above (combination of #5 and #3)
 - 8. *possibility*: he could have adjured them to fulfill כל התורה כולה
 - a. *rejection*: implies just avoiding ע”ז (:keeping all תורה)
 - 9. *possibility*: he could have adjured them to keep תורה and avoid ע”ז (or תרג”ג מצוות)
 - a. *answer*: he didn’t want to trouble them so much
 - c *analyzing the second example (the serpent)*:
 - i *challenge*: in days of Shapur I, there was a serpent that swallowed 13 stables’ worth of grain
 - 1 *answer*: meaning of vow is “as smooth as a beam”
 - (a) *challenge*: all serpents are smooth
 - (b) *response*: intent was that the back was smooth
 - (i) *challenge*: why didn’t תנא say so?
 - (ii) *Answer*: teaches, incidentally, that the wood of an olive-press beam is smooth
 - (iii) *Practical purpose*: for commerce – if he sells an olive-press beam, the sale is valid only if the wood is smooth