

15.9.2; 65a (משנה ג') → 66a (יפה קתני)

.1 לא תשנא את אחיד בלבד הוכח תוכיח את עמיתך ולא תשא עליו חטא: ויקרא פרק יט פסוק יז
 .2 לא תקם ולא תטר את בני עמך ואחבת לרעך כמודד אני ה': ויקרא פרק יט פסוק יח
 .3 אל תקח מאתו נשך ותרבית וראת מאלהיך וחי אחיד עמך: ויקרא פרק כה פסוק לו

- I 'משנה ג' (חכמים rejected by "quasi-נולד" category)
- a banning marriage to a woman because her father is evil
 - i later: he is informed that the father died or has rectified his behavior
 - b banning entry into a house because there is a rabid dog or a snake there
 - i later: he is informed that the dog or snake died
 - c ruling: ר"מ permits this as a פתח, חכמים maintain that it is נולד and forbid
 - i Explanation of ר"מ's reasoning
 - 1 ר' הונא: the נדר is considered to be conditional (conditioned on the father being evil e.g.)
 - 2 נדר טעות – ר"מ only permits if the father was dead (etc.) at the time of the נדר
 - (a) challenge: later משנה (ט:י) explicates נדר טעות (apparently unattractive girl who is indeed pretty)
 - (i) explanation: according to ר' יוחנן – why is there a need to teach נדר טעות twice?
- II 'משנה ד' additional פתחים – demonstrating that his נדר involves violations of the תורה (vv. 1-3) (consensus)
- a V. 3 – you may have to help him with צדקה
 - b Challenge: why can't the נודר point out that the poor man first comes to the גבאי, and even if his money is in the community fund, that isn't a violation of the נדר?
 - c Answer: עניים first come to their neighbors and relatives
- III 'משנה ה' using the value of the כתובה as a פתח
- a we may use the value as a פתח
 - b story with ר"ע: Man had banned his wife and ר"ע obligated him to pay entire (400 דינר) כתובה
 - i man pleaded that he only had 400 דינר to his name and wanted to split amount
 - ii ר"ע held fast that he must pay – even if he has to sell his own hair!
 - iii Man expressed regret and ר"ע released the vow
 - 1 Challenge (to story): מטלטלין aren't משתעבד to a כתובה (we assume the 400 דינר were cash)
 - 2 Answer: the 400 דינר were land
 - 3 Challenge: but his hair is certainly מטלטלין
 - 4 Explanation: what ר"ע said was that even if the husband has to use his own hair to (sell and) feed himself, he must pay the כתובה
 - (a) Implication: we don't make accommodations for a בע"ח (settling dispute in last chapter of "ב"ק)
 - (i) Meaning: if we allow debtor to maintain some basic standard of living and pay off what he can
 - (b) Rejection: means that even if we arrange a סדור, nonetheless the obligation remains and we don't tear up the כתובה
- IV 'משנה ו' using שבת ויר"ט as a פתח (e.g. for wine and meat)
- a originally, only those days would be permitted
 - b נדר שהותר מקצתו הותר כולו) ר"ע came and taught that a נדר that has been partially released is fully released
- V 'משנה ז' example of נדר שהותר מקצתו הותר כולו)
- a if a man banned הנאה from (or to) a group and one of the group was released – all are released
 - b however: if he banned them in tethered sequence
 - i example: "I ban A, and B is as A, C is as B" etc.
 - c ruling: if A is released, all are released; if C is released, only C is released, if B is released, B& C are released
 - i inotherwords: from the point of release on down the chain are released
 - ii however: if he explicated "קרבן" with each one, they are unlinked and each needs a separate release
 - 1 note: this follows ר"ש (מס' שבועות) who identifies שבועות with multiple claimants as separate only if he utters שבועה to each one
- VI 'משנה ח' combination of נדר טעות and נדר שהותר מקצתו הותר כולו)
- a if he bans wine "because wine is bad for the intestines" and they tell him that old wine is not only not bad – it is even good for the intestines – he is allowed to drink old wine – thereby, all wine becomes מותר
 - b if he bans onions "because onions are bad for the heart" and is informed that Cypriot onions are good for the heart – he is allowed to eat Cypriot onions – thereby, all onions become מותר
 - c substantiating story about ר"מ permitting all onions