



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

### Shavuos Daf Chuf Aleph

- **Ravin in the name of R' Yirmiya in the name of R' Avahu in the name of R' Yochanan** said, an oath of "I ate" or "I did not eat" (i.e. about past events) is called a false oath and the warning is based on the pasuk of "lo sishav'u bishmi lashaker", an oath of "I will eat" or "I will not eat" which is then violated makes the person oiver in "lo tacheil devaro", and a shavua in vain is when someone swears to contradict something that is well known (e.g. that a man is a woman).
  - **R' Pappa** said, **R' Avahu** never explicitly said that a false oath refers to a past event, rather we can glean it from another statement of **R' Avahu**, where he explains a statement of **R' Yochanan** and says that a false oath (for which **R' Yochanan** says the person gets malkus if he violates it) refers to an oath regarding past events. Although there is no action in this aveira, and typically that means that there is no chiyuv malkus, **Rava** says that we darshen the pesukim to teach that a false oath is like a vain oath – just as a vain oath refers to the past, the same is for a false oath, and just as a vain oath receives malkus, the same is true for a false oath.
  - **Q: R' Yirmiya** asked **R' Avahu**, a Mishna says, if a person makes an oath that "I will not eat this bread, an oath that I will not eat it, an oath that I will not eat it" and he then ate it, he is only chayuv for one oath. The Mishna then says, "this is an example of shevuas bituy for which a meizid would be chayuv malkus and a shogeg would be chayuv a korbon oleh v'yoreid". The Mishna seems to come to exclude the case of an oath that "I ate" or "I did not eat", and to teach that in those cases he would not get malkus!? **A:** The Mishna only means to exclude these oaths on past events from a chiyuv korbon, which is the view of **R' Yishmael**, but it does not mean to say that there is no chiyuv malkus for this.
    - **Q:** A later part of that Mishna says regarding a vain oath, "this is an example of a vain oath for which one is chayuv malkus for a meizid and would be patur if he is a shogeg". Presumably, this comes to exclude oaths about past events and to teach that one does not receive malkus in those cases!? **A:** The Mishna means to say that this is the case for which one would not be chayuv a korbon for a shogeg, but for a false oath one would be chayuv a korbon even on oaths that pertain to past events, which is the view of **R' Akiva**.
      - **Q:** We just said that the Mishna follows **R' Yishmael**, how can we now say that it follows **R' Akiva**!? **A:** The entire Mishna follows the view of **R' Akiva**. The earlier part of the Mishna does not come to exclude an oath regarding past events from a korbon, but rather comes to exclude an oath that "I will eat" and when he then does not eat, from getting malkus, but he would be chayuv a korbon. In fact, this is more logical to say that the Mishna is discussing future events and therefore means to exclude something regarding future events, rather than to say it is coming to exclude something regarding past events.

SHEVUAH SHELO OCHAL V'ACHAL KOL SHEHU CHAYUV...

- **Q:** Does **R' Akiva** hold like **R' Shimon** in all areas of the Torah regarding making someone chayuv for an "achila" even when he eats the smallest amount, as we find in a Braisa where **R' Shimon** says that malkus is gotten for eating any amount, and the amount of a kezayis is needed to make someone chayuv a korbon, and in truth **R' Akiva** should have stated his argument with the **Rabanan** regarding other cases as well, and only stated it regarding oaths because it is in this case where we would think that the **Rabanan** would agree that any small amount should make him chayuv since a person can specify his oath to mean any minute amount, therefore even without such specification even the smallest amount makes him chayuv, or does **R' Akiva** agree

with the **Rabanan** in all other cases and only argues regarding oaths, because since a person can specify his oath to mean any minute amount, therefore even without such specification even the smallest amount makes him chayuv? **A:** In our Mishna the **Rabanan** asked **R' Akiva**, "where do we find that a person is chayuv for eating the smallest amount?". If **R' Akiva** argues with them in all cases, he should have responded, "I hold like **R' Shimon** in all cases, and therefore hold that a person is always chayuv for eating the smallest amount!". Since he didn't answer like that, it must be that he doesn't agree with **R' Shimon** in cases other than oaths.

- The Gemara says, this is no proof. It may be that he does hold like **R' Shimon** but wanted to answer them according to their own view that argues on **R' Shimon**, and wanted to say that in the case of oaths they must agree with him. The **Rabanan** answered that even regarding oaths he must eat a kezayis to be chayuv.
- **Q:** Maybe we can answer from a Mishna in which **R' Akiva** says that if a nazir soaks his bread in wine, and the bread and wine combine to make a kezayis, he would be chayuv malkus for eating it. Now, if he holds like **R' Shimon**, why does he need the combined amount to reach a kezayis!? Furthermore, a Mishna says, if someone makes an oath that "I will not eat neveilos, treifos, shekatzim, and remasim" he is chayuv, but **R' Shimon** says he is patur. Now, why would the **T"K** say he is chayuv, since these things are already assur to him? **Rav, Shmuel, and R' Yochanan** all said that the case is that he added into his oath things that are otherwise mutar. **Reish Lakish** said the case would either be where he specified that even a minute amount will be assur to him, and it can even follow the **Rabanan**, or where he didn't make any specification and can follow **R' Akiva**, who says that all oaths mean to include even a minute amount. Now, if **R' Akiva** holds like **R' Shimon**, then he is already assur to eat any minute amount! We see that **R' Akiva** does not hold like **R' Shimon** regarding areas other than oaths. **SHEMA MINAH.**

AMRU LO L'REBBI AKIVA HEICHAN MATZINU...

- **Q:** We find that a person is chayuv for eating less than a kezayis when he eats an ant!? **A:** The case of eating a complete being is different.
- **Q:** We find that a person is chayuv for eating hekdesch worth a peruta, even if it is less than a kezayis!? **A:** Although there is no minimum shiur of a kezayis, there is a minimum shiur of a peruta. This is in contrast to **R' Akiva** who is saying that there is no minimum shiur at all.
- **Q:** We find that a person is chayuv for eating less than a kezayis when he makes an oath and specifies that it includes less than a kezayis!? **A:** That is like the case of a complete being (it is considered significant for that oath).
- **Q:** If a person makes an oath not to eat dirt he would presumably be chayuv for eating less than a kezayis!? **A:** The **Rabanan** meant to say that we don't find something that is edible as making someone chayuv when he eats less than a kezayis.
- **Q:** The case of "konamos" (e.g. when someone says "this bread should be assur to me like konam") makes the person chayuv for even less than a kezayis!? **A:** The case of konamos is like the case of where he specifies that it should apply to even less than a kezayis.