



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

### Shavuos Daf Chuf Vuv

R' YISHMAEL OMER EINO CHAYUV ELAH AHL HE'ASID LAVO

- A Braisa says, the words "l'harah oy l'heitiv" would seem to teach that a korbon is only brought for the shogeg violation of an oath that involves doing bad or good. The pasuk of "oy nefesh ki sishava l'vatei bisfasayim" teaches that a korbon is brought for the shogeg violation of other oaths as well. Still, this would suggest that a korbon is only brought for an oath on matters pertaining to the future. **R' Akiva** says, that "l'chol asher yivatei ha'adam bishvua" teaches that a korbon is also brought for oaths that pertain to the past. **R' Yishmael** says, "l'harah oy l'heitiv" teaches that only oaths made regarding the future can make one chayuv to bring a korbon. **R' Akiva** said to him, if you understand these words to be taken literally, you should also limit liability to oaths that involve the doing of good or bad!? How do you know to include other oaths as well? **R' Yishmael** said, I learn it from the ribuy of the pasuk ("l'chol asher yivatei ha'adam b'shvuah"). **R' Akiva** said, if you learn from there to include other matters, you should also learn from there to include oaths pertaining to the past as well!
  - **Q: R' Akiva** seems to have refuted **R' Yishmael**!? **A: R' Yochanan** said, **R' Yishmael** learned by **R' Nechunya ben Hakanah** and therefore darshens using klal uprat, whereas **R' Akiva** learned by **Nachum Ish Gam Zu** and therefore darshens using ribuy umi'ut. **R' Akiva** darshens "oy nefesh ki sishava" as a ribuy, "l'harah oy l'heitiv" as a miut, and "l'chol asher yivatei ha'adam" as a ribuy, which therefore includes everything except one thing, which he says excludes an oath involving a mitzvah. **R' Yishmael** darshens these pesukim as a klal uprat uklal, which only includes oaths that are like the prat – just as the prat is an oath pertaining to the future, all oaths that can obligate a person in a korbon must be pertaining to the future. The second klal does achieve to even include oaths that are not regarding doing good or bad.
    - **Q: Why don't we say that R' Yishmael** excludes oaths that do not involve good or bad but includes oaths that pertain to the past? **A: R' Yitzchak** said, the oaths must be similar to "l'harah oy l'heitiv" in that the oath is not false at the time that it is stated. **R' Yitzchak** said, **R' Yishmael** darshens the pasuk of "oy nefesh ki sishava l'vatei bisfasayim" to teach that the oath must come before the action that is the subject of the oath. Therefore, it only applies to oaths that pertain to the future.
- A Braisa says, the pasuk says "ha'adam...bishvua", which teaches to exclude someone who made an oath b'oneis. "V'nelam" teaches to exclude a meizid. "Mimenu" teaches that it is only when he forgets about having made the oath, not when he forgets about the underlying subject matter of the oath, as the pasuk says "bishvuah v'nelam".
  - The case of oneis would be where one swore because he thought he was swearing truthfully (like the case of **R' Kahana** and **R' Assi**, where they each swore as to what **Rav** had said, and one was wrong).
  - **Q: They** asked in EY, every case of forgetting about the underlying subject matter is actually a case of forgetting about the oath!? **A: R' Elazar** said, the Braisa must be incorrect when it lists the forgetting of the shvuah and the forgetting of the subject matter as two different cases. In truth, they are one.
    - **Q: R' Yosef** asked, why can't we say the case is where he swore not to eat wheat bread, stuck his hand into a bag to take barley bread, but unknowingly took wheat bread and ate it? **A: Abaye** said, this person doesn't realize that his oath makes the bread in his hand assur. Therefore, even this would be a case of not realizing regarding his oath.

