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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

Mishna

The *Mishna* states: If one says, “Not *chullin* (unconsecrated items) that which I eat of yours,” (thus implying that his friend’s food shall be regarded as *kodoshim*), “not kosher,” or “not clean,” “*tahor*” or “*tamei*,” “*nossar*” and “*piggul*,” he is forbidden to eat from his friend’s food. (In order for a vow to take effect, he is not required to link the subject of the vow to a forbidden item. However, if he chooses to link the subject of the vow to an object previously forbidden through a vow, the vow is effective. Our *Mishna* is teaching us that if the vower mentions something that is prohibited because of offerings and he uses a positive form, such as *tamei*, *nossar* and *piggul*, the vow is valid. If he mentions something that is permitted, but he uses the negative form, such as not *chullin*, not kosher or not clean, the vow takes effect because we infer from his language that he is saying that the object should be forbidden like an offering.)

If he said, “Like a lamb,” “like the sheds (referring to the animals designates for *korbanos* which were kept in a special room in the *Beis Hamikdosh*),” “like the wood (that was placed on the Altar every day) “like the fires,” “like the Altar,” “like the *Heichal*,” “like (the *korbanos* offered in) *Yerushalayim*,” or if a person vowed by any one of the Altar’s accessories, even though he did not mention *Korban*, this is regarded as a vow with a *Korban*. Rabbi Yehudah

says: One who says “*Yerushalayim*” has not said anything (since he did not say “like *Yerushalayim*”). (10b3 – 10b4)

Who is the Author of our Mishna?

The *Gemora* states: They thought to say (and concluded that this is the correct explanation) as follows: What does the *Mishna* mean when it says “*la’chullin*”? It must mean that the person is saying that he does not want it (the status of his friend’s food) to be considered *chullin* (unconsecrated food) but rather like a *korban*. [A *korban* has restrictions, implying that his friend’s food should be restricted to him.]

The *Gemora* asks: Who is the author of our *Mishna*? It cannot be Rabbi Meir, as he does not hold of the concept that if someone makes a negative statement, the positive is automatically implied. [It is not *chullin* means that it is like a *korban*.] This is apparent from Rabbi Meir’s statement (in a *Mishna*). Rabbi Meir states: Any condition that is not similar to the condition made (by *Moshe Rabbeinu*) with the sons of (the tribe of) *Reuven* and *Gad* (the condition was doubled; if the condition is fulfilled, the agreement is valid, but if it is not fulfilled, the agreement is not valid) is not a valid condition. (Obviously, we do not infer the positive from the negative.)

The *Gemora* therefore states that our *Mishna* is according to Rabbi Yehudah.

The *Gemora* asks: Rabbi Yehudah said in the end of the *Mishna* that if someone says, “It is “Yerushalayim,” he has not said anything. This implies that the first part of the *Mishna* was not authored by Rabbi Yehudah.

The *Gemora* answers: The entire *Mishna* was actually authored by Rabbi Yehudah and (*the last part of the Mishna*) reads in the following manner: As Rabbi Yehudah says: If someone says, “it is Yerushalayim,” he has not said anything. [*The Gemora at this point understands that Rabbi Yehudah would say that the prohibition would apply only if he said, “it is ‘like Yerushalayim,’” not just, “Yerushalayim.”*]

The *Gemora* asks: If someone says, “Something should be like Yerushalayim,” does Rabbi Yehudah hold that it is forbidden to him? But it was taught in a braisa: Rabbi Yehudah says: If a person says, “Something should be like Yerushalayim to me,” he has not said anything, unless he makes a vow with something that is offered in Yerushalayim.

The *Gemora* answers: The entire *Mishna* is Rabbi Yehudah, and there is an argument between two Tannaim regarding the exact position of Rabbi Yehudah (*regarding someone who states “like Yerushalayim”*). (11a1 – 11a2)

Who is the Author of the Braisa?

The *Gemora* cites a braisa: If someone says, “chullin,” “ha’chullin,” or “k’chullin,” whether he ended “that I

will eat from you,” or “that I will not eat from you,” he is permitted (to eat from his friend’s food). If he said, “la’chullin that I will eat from you,” he is forbidden (*see Ran that some do not have this text, and some replace the word “la’chullin” with “la’chalin (like breads from a korban todah)”*). If he said “la’chullin that I will not eat from you,” he is permitted.

The *Gemora* asks: Who is the author of the first part of the *Braisa*? It must be Rabbi Meir, who does not hold of the concept that if someone makes a negative statement, the positive is automatically implied. However, the second part of the *Braisa* states that if someone said, “la’chullin that I will not eat from you,” he is permitted. But we learned in a *Mishna*: If someone says, “la’korban I will not eat from you,” he is forbidden according to Rabbi Meir. [*The Gemora understands that the reason he is forbidden is because it is as if he said “what is not a korban is what I will not eat from you,” implying that what he would eat is like a korban and therefore prohibited.*] How can this be, if Rabbi Meir does not hold of the concept that if someone makes a negative statement, the positive is automatically implied?

Furthermore, Rabbi Abba said that (*the reasoning is*) it is as if he said, “Your food should be like a *korban* and therefore I will not eat from you.” In the case of our *Braisa* as well, then, it should be as if he said, “Your food should be like *chalin (todah bread, see Ran)* and therefore I will not eat from you.”

The *Gemora* answers: The author of this *Braisa* agrees with Rabbi Meir about one concept but

argues about another. He agrees, as he also does not hold of the concept that if someone makes a negative statement, the positive is automatically implied. He disagrees regarding the case of *korban*.

Rav Ashi answers: [The entire Braisa is according to Rabbi Meir.] One case is where he said “*le’chulin*” (implying it is like *chulin*) and the other case is where he said “*la’chulin*,” implying that it is not *chullin* but rather like a *korban*. (11b1 – 11b2)

Like a Shelamim

Rami bar Chama inquired: If someone states, “This is upon me like meat of a *korban shelamim* after its blood is sprinkled (on the Altar),” what is the law?

The Gemora asks: If he uses this terminology, he is essentially saying that it is permitted to him (as everyone is allowed to eat the meat of a *shelamim* after its blood has been sprinkled on the altar)!

Rather, it must that his question was in a case where a piece of *korban shelamim* was sitting next to a loaf of bread, and he said, “This (bread) should be like this (*shelamim*).” Is he referring to the prohibition that the meat originally had before its blood was sprinkled on the Altar, or is he referring to the fact that the meat is now permitted? (11b2 – 11b3)

Quick Summary

* What can one say to effect a vow besides *korban*?

He can say any of the following: “Not *chullin* (unconsecrated items) that which I eat of yours,” (thus implying that his friend’s food shall be regarded

as *kodoshim*), “not kosher,” or “not clean,” “*tahor*” or “*tamei*,” “*nossar*” and “*piggul*.” “Like a lamb,” “like the sheds (referring to the animals designated for *korbanos* which were kept in a special room in the Beis Hamikdosh),” “like the wood (that was placed on the Altar every day) “like the fires,” “like the Altar,” “like the Heichal,” “like (the *korbanos* offered in) Yerushalayim” will also be valid.

* Why does Rabbi Meir disagree when one says, “Not *chullin* (unconsecrated items) that which I eat of yours”?

He does not hold of the concept that if someone makes a negative statement, the positive is automatically implied.

* Where does Rabbi Meir derive this from?

He holds: Any condition that is not similar to the condition made (by Moshe Rabbeinu) with the sons of (the tribe of) Reuven and Gad (the condition was doubled; if the condition is fulfilled, the agreement is valid, but if it is not fulfilled, the agreement is not valid) is not a valid condition. Obviously, we not infer the positive from the negative.

* If one says, “Like Yerushalayim,” will the *neder* be valid according to Rabbi Yehudah?

According to the *Mishna*, yes; according to the *braisa*, no.

* What is the meaning of *le’chullin*?

It should be *chullin*.



* What is the *halacha* if one says, “This is upon me like meat of a *korban shelamim* after its blood is sprinkled (*on the Altar*)”?

It is not a *neder* for the meat is permitted.

INSIGHTS TO THE DAF

Positive is not Automatically Implied

The *Gemora* asks: Who is the author of our *Mishna*? It cannot be Rabbi Meir, as he does not hold of the concept that if someone makes a negative statement, the positive is automatically implied. [*It is not chullin means that it is like a korban.*] This is apparent from Rabbi Meir’s statement (*in a Mishna*). Rabbi Meir states: Any condition that is not similar to the condition made (*by Moshe Rabbeinu*) with the sons of (*the tribe of*) Reuven and Gad (*the condition was doubled; if the condition is fulfilled, the agreement is valid, but if it is not fulfilled, the agreement is not valid*) is not a valid condition. (*Obviously, we not infer the positive from the negative.*)

The Rishonim ask: The *Gemora* in Shavuos (36a) states that Rabbi Meir only holds that “the positive cannot be implied from the negative statement” only in regards to monetary matters; however, in regards to prohibitory matters, Rabbi Meir agrees that we may infer the positive from the negative. If so, the *Mishna* here can very well be following Rabbi Meir’s opinion, for we are discussing the laws pertaining to vows and this is not a monetary matter, but rather, a prohibitory matter?

Tosfos answers: It is evident from the *Gemora* there that a prohibition that involves money has the status of a monetary matter and Rabbi Meir will still maintain that “from the implication of a negative, we cannot hear the positive.” Since a vow involves money, for one is prohibiting the possession’s of his fellow on himself, Rabbi Meir would not concede in this case. The Ran answers similarly that since by a vow, one is prohibiting the object upon himself, it is considered a prohibition that involves money.

(A difference between Tosfos and the Ran may be by an oath, where, according to Tosfos, it still would involve money because he is prohibiting himself from deriving benefit from his fellow’s possessions; however, according to the Ran, it would not be regarded as a monetary matter since the object itself is not forbidden.)

Tosfos in Shavuos answers that Rabbi Meir concedes only by a strict prohibition, i.e. one that a person will be liable to death; however, by a vow, which is not regarded as a strict prohibition, Rabbi Meir will still maintain that “from the implication of a negative, we cannot hear the positive.” (*The Rashba does not agree that the Gemora states such a distinction.*)

The Rosh answers: Since by a vow, we go according to the language of people, it is regarded as a monetary matter. Rabbeinu Avraham min Hahar explains: People generally explain themselves completely. Therefore, by a vow and all money matters (*for the same reason*), Rabbi Meir maintains that “from the implication of a negative, we cannot hear the positive.”