

Daf Notes

Insights into the Daily Daf

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Daily Daf

Rebuke

It was taught in a *braisa*: Rabbi Eliezer the great said: If the Holy One, Blessed be He, wished to deal with strict justice with Avraham, Yitzchak or Yaakov, not even they could stand before His rebuke! This is as it is written: *Now therefore stand erect, that I may enter into judgment with you before Hashem, concerning all the righteous acts of Hashem which He has done with you and with your forefathers.* (17a)

Generations and its Leaders

It is written: This is the generation of those that seek after Him, those who strive for Your Presence, the nation of Yaakov, Selah. Rabbi Yehudah Nesiah and the Rabbis differ (*regarding the meaning of this verse*): One says: as the leader, so the generation; the other: as the generation, so the leader.

The *Gemora* asks: For what practical issue is this disagreement?

The *Gemora* rejects the possibility that it refers to righteousness - so that one holds that if the generation is righteous, so is the leader, and the other maintains that if the leader is righteous, so is the generation. This cannot be, for surely there is Tzidkiyah, who was righteous, whereas his generation was not so; and there

is Yehoyakim, who was not righteous, while his generation was so.

The *Gemora* proves these statements from that which Rabbi Yochanan said in the name of Rabbi Shimon ben Yochai: What is the meaning of that which is written: *In the beginning of the reign of Yehoyakim the son of Yoshiyahu, king of Yehudah*, and of that which is written: *In the beginning (Breishis) of the reign of Tzidkiyah?* [Why, until this time were there not already kings?] Rather, the phrase *in the beginning* is reminiscent of Creation, and signifies that the Holy One, Blessed be He, wanted to return the world to its formlessness and emptiness (*to destroy the world*), on account of the wickedness of Yehoyakim. However, Hashem looked at the people of Yehoyakim's generation and His anger subsided. Similarly, the Holy One Blessed be He, wanted to return the world to its formlessness and emptiness (*to destroy the world*), on account of the wickedness of the generation of Tzidkiyah. However, Hashem looked at Tzidkiyah himself and His anger was subsided.

Rather, the argument (*and the verse*) refers to anger and the ability to become appeased. [*The temperament of the leader, gentle or otherwise, depends upon the spirit of his time. The argument is who is influenced by who.*] (17a)

WE SHALL RETURN TO YOU, YEISH ARACHIN

Mishna

As to the sufficiency of means (*by an erech vow*) this shall be done according to the ability of the one who vows, and when we are considering the years of his age (*to determine the amount included in the erech vow – according to the fixed rate of the Torah*), this shall be done according to the one who is the subject of the *erech*.

The *Mishna* explains: As to the sufficiency of means (*by an erech vow*) this shall be done according to the ability of the one who vows. How is that? If a poor man declared an *erech* vow regarding a rich man (*to donate the amount of the rich man's erech*), he shall pay only the *erech* of a poor man. If, however, a rich man declared an *erech* vow regarding a poor man, he must pay the *erech* of a rich man. But it is not so regarding offerings. If a man said, "I accept upon myself the offering of this *metzora*," and the *metzora* was poor, he brings the offering of a poor man. [A *metzora* of ordinary means brings lamb offerings for his purifying procedure, while one who is poor may bring birds.] If, however, the *metzora* was rich, he must bring the offering of a rich man.

Rebbe says: I say that the same applies with regard to an *erech* vow (*that it is similar to offerings*). Why is a poor man who declared an *erech* vow of a rich man obligated to pay only the *erech* of a poor man? It is because the rich man had not incurred any liability whatsoever. But if the rich man said, "I declare to give the *erech* of myself," and the poor man, hearing that, said, "I accept upon myself to give what he has said that he is giving," then he must pay the *erech* of a rich man. [The poor man would be liable to pay the rich man's *erech*, since in saying, "I accept upon myself to give what he has said that he is giving," he deliberately assumes the full liability, and he would owe the sum until he is able to pay it.] (17a)

According to his Means

The *Mishna* had stated: As to the sufficiency of means (*by an erech vow*) this shall be done according to the ability of the one who vows. How is that? If a poor man declared an *erech* vow regarding a rich man (*to donate the amount of the rich man's erech*), he shall pay only the *erech* of a poor man.

The *Gemora* cites the Scriptural source for this: *According to what the vower is able to pay*; i.e., the Torah made it dependent upon the one who vowed.

The *Mishna* had stated: But it is not so regarding offerings. If a man said, "I accept upon myself the offering of this *metzora*," and the *metzora* was poor, he brings the offering of a poor man.

The *Gemora* asks: This means (*that he brings the offering of a poor man*) although he who vowed is rich! But did not the Torah say: *And if he is poor (he brings birds)*, and he who vowed is not poor?

Rabbi Yitzchak said: This refers to a case where he who vowed was also poor.

The *Gemora* asks: But perhaps the Torah spared only the *metzora* himself (*who is poor*), but not the one who vowed, as it is written: *if he is poor*?

Rav Adda bar Ahavah answered: The verse, '*and he cannot afford it*' includes the one who vows.

The *Gemora* asks: But if the one who vows were a rich man, would he indeed have to bring the offering of a rich man? If so, what is the meaning of the *Mishna* when it states that it is not so regarding offerings?

[If the vower is rich and the subject is poor, there is no difference between *metzora* and an *erech* vow, he must bring the *korban* of a rich person; the *Mishna*, which makes a distinction is referring to two cases:] One (*where a man said, "I accept upon myself the offering of this metzora," and the metzora was poor, he brings the offering of a poor man*) refers to a poor *metzora* and the

person who vowed was also poor; the other (if, however, the *metzora* was rich, he must bring the offering of a rich man) excludes a case where the *metzora* was rich and the one who vowed was poor (for then there would be a distinction between an *erech* vow and *metzora*: by an *erech* vow, he would only be obligated to give what he could afford, but by *metzora*, the poor man would be liable to bring the offerings of the rich man).

Now (the poor man, who accepted upon himself to bring the offerings of a rich *metzora*, is liable to bring the offerings of the rich man) I might have thought that since he was included (in the law that he is allowed to bring a lesser-type of offering), he was completely included (and he may bring such an offering – even if he vowed to bring that of a rich one); the *Mishna* therefore informs us that it is not so. Since we find in the case of an *erech* vow that a poor man, who declared that he would donate the *erech* of a rich man, would be liable to pay the *erech* of a poor man, one might have thought that the same should apply to this case; therefore it is written: if he is poor (that the dispensation is allowed only to the *metzora* who is poor, not to the vower).

The *Gemora* asks: But according to Rebbe who said: I say that the same applies with regard to an *erech* vow (that it is similar to offerings), which shows that we are guided by the liability of the person who made the vow (so if the rich man said, “I declare to give the *erech* of myself,” and the poor man, hearing that, said, “I accept upon myself to give what he has said that he is giving,” then he must pay the *erech* of a rich man), so no Scriptural verse is necessary to exclude (this case by *metzora*, for the *erech* laws and *metzora*’s laws are both the same), what then does the verse, ‘if he is poor’ come to exclude?

The *Gemora* answers: It excludes the case of a poor *metzora* while the one who vowed was rich. I might have thought that since Rebbe said that we are guided by the liability of the person (who was first obligated), we shall here too be guided by the liability of the person (and therefore the rich person who vowed shall only be obligated to bring the offering of a poor man); therefore, the verse informs us that this is not so (and only a poor

metzora can bring the offerings of a poor man, but a rich person, who vows to bring offerings for him, must bring the offerings of a rich man).

If he (one who made an *erech* vow) was poor, and then became rich, or rich and then became poor, he must pay the *erech* of a rich man. Rabbi Yehudah says: Even if he was poor and became rich and then again became poor he must pay the *erech* of a rich man. But it is not so regarding offerings (for then, he is assessed according to his means at the time he brings the offerings).

Even if his father was dying and left him ten thousand zuz, or if he had a ship on the sea and it was bringing him ten thousand zuz, the Temple Treasury has no claim at all on them.

The *Mishna* had stated: If he (one who made an *erech* vow) was poor, and then became rich (he must pay the *erech* of a rich man).

The *Gemora* cites the source for this: It is written: what the vower is able to pay (even if only now he is able to pay).

The *Mishna* had stated: If he (one who made an *erech* vow) was rich and then became poor (he must pay the *erech* of a rich man).

The *Gemora* cites the source for this: It is written: according to what he is able to pay (even if it was only at the time that he made the vow).

Rabbi Yehudah says: Even if he was poor and became rich and then again became poor he must pay the *erech* of a rich man.

The *Gemora* cites the source for this: It is written: But if he (*hu*) is too poor for the evaluation, i.e., only if he remains in his poor state from the beginning to the end.

The *Gemora* asks: But if that is so, let us consider that which is written by *metzora*: If he (*hu*) is poor. Would you say here, as well that it is only if he remains poor

from the beginning to the end? And you cannot say that this indeed is so, for we have learned in a *Mishna*: If a *metzora* offered up (*part of*) his offering as a poor man and became rich, or as a rich man and became poor, all should be guided by what the *chatas* offering was; these are the words of Rabbi Shimon. [*If he brought a sheep – a rich man’s offering - for his chatas, he brings a sheep for his olah as well; if he offered a bird – a poor man’s offering – for his chatas, he brings a bird for his olah as well.*] Rabbi Yehudah says: Everything should be guided by what his status was at the time that he brought his *asham* offering. And it was taught in a *braisa*: Rabbi Eliezer ben Yaakov says: All should be guided by his status at the time that he brought the birds. [*We see that he does not have to be poor from the beginning until the end!?*]

The *Gemora* answers: But surely it was stated regarding this that Rav Yehudah said in the name of Rav: All the three *Tannaim* derived their viewpoints from one Scriptural verse (*and although the word ‘hu’ usually would indicate that the status should be the same all throughout, by metzora, a different verse teaches us otherwise*): *Whose means are not sufficient for his purification*. Rabbi Shimon holds: The reference is to that which provides atonement, and that is the *chatas* offering. Rabbi Yehudah holds: It is to that which renders him fit, and that is the *asham* offering. Rabbi Eliezer ben Yaakov says: It is referring to that which causes his purification, and that is the birds.

The *Gemora* asks: But then why is it written, *if he is poor?*

The *Gemora* answers: According to Rebbe, as he explains it (*that a rich man who vows to bring the offerings of a poor metzora must bring a rich man’s offering*), and according to the Sages, as they explain it (*that a poor man who vows to bring the offerings of a rich metzora must bring a rich man’s offering*).

The *Gemora* asks: But then, when it is written (*regarding a testifying witness*): *And he (hu) is a witness*, would you here too, say that he must qualify to be a witness from

beginning (*at the time that he saw that which is testifying about*) to end (*until he testifies*)? And you cannot say that this is so, for it was taught in a *braisa*: If a man knew testimony for another before he became his son-in-law, and then became his son-in-law (*before testifying*); or if he was normal (*at the time that he observed that which he was going to testify about*) and now (*before testifying*) became deaf; or if he could see and now became blind; or if he was of sound mind and now became deranged, then he is disqualified from testifying. But if he knew testimony for another before he became his son-in-law, and then became his son-in-law, and after that his daughter (*the father-in-law’s daughter, i.e., his wife*) died; or if he could hear, became deaf, and now regained his hearing; or if he could see, lost his sight, and now recovered it; or was of sound mind, lost his mind, and now recovered it, then he is eligible to testify. This is the general rule: As long as he was capable at the beginning (*at the time that he observed that which he was going to testify about*) and again at the end (*when he is testifying*), he is qualified. [*Evidently, he does not need to be a qualified witness from beginning to end!?*]

The *Gemora* answers: It is different there because the Scriptural verse indicates that the matter is dependent on his seeing and testifying, and that (*prerequisite*) is present here.

The *Gemora* asks: But then, what is derived from the verse: *And he (hu) is a witness?*

The *Gemora* answers: It is needed for that which was taught in the following *braisa*: If a man stood before a group of people, and said to them, including the two witnesses (*who would be testifying on his behalf*), “I adjure you that if you know testimony for me you shall come and testify,” they are exempt (if they swore falsely that they do not know testimony and later they admitted); this is because he did not address them specifically. This is derived from the verse: *And he (hu) is a witness*. This would not apply in a case where he said, “All of you who know testimony for me etc.,” for then he has singled them out. (17a – 18a)