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Who is Included?

It was taught in a *braisa*: Everyone is obligated in the reading of the *Megillah*, whether they be *Kohanim*, *Levi'im*, *Yisraelim*.

The *Gemora* asks: Isn't this obvious?

The *Gemora* answers: The novelty of this listing is that they must abandon their service in the Temple to come hear the *Megillah*. This is as Rav Yehudah said in the name of Shmuel: The *Kohanim* while they were engaged in the Temple service, the *Levi'im* from the balcony (*while they were singing and playing musical instruments*) and the *Yisra'elim* who were standing by the *korbanos* representing all of Israel (*ma'amados*), all must forsake their service and go hear the *Megillah*.

The *braisa* stated: All may arrange a *zimmin* (*three or more people who ate together are under the obligation to say the Grace after Meals together and recite an extra blessing beforehand*), whether they be *Kohanim*, *Levi'im*, *Yisraelim*.

The *Gemora* asks: Isn't this obvious?

The *Gemora* answers: The novelty of this listing is for the case in which the *Kohanim* were eating consecrated foods. I might have thought since the Torah said: *And they shall eat those things, those who gain atonement through them*, and this is an atonement (*and not an ordinary meal; so perhaps they are not obligated in zimmin*); therefore we are informed otherwise. This is because the Torah has said: You shall eat

and be satisfied (*and offer a blessing*), and this applies to them as well.

It was taught in a *braisa*: All may combine for a *zimmin*, even *Kohanim*, *Levi'im* and *Yisraelim*.

The *Gemora* asks: Isn't this obvious?

The *Gemora* answers: The novelty of this listing is for the case where the *Kohanim* eat from *terumah* or of consecrated foods, while the non-*Kohen* eats of nonconsecrated foods. I might have thought that since the non-*Kohen* - even though he wished to eat with the *Kohen* (*from his food*), he could not do so; therefore he may not join him (*for the zimmin*) either; the *braisa* informs us that granted that the non-*Kohen* may not eat together with the *Kohen*, the *Kohen* could surely eat together with the non-*Kohen* (*and therefore, they may join together*). (4a)

Kohanim and Valuations

Our *Mishna* had stated: All may declare an *erech* vow, *Kohanim*, *Levi'im*, *Yisra'elim*,

The *Gemora* asks: But isn't that obvious?

Rava answers: The novelty of this listing is in accordance with Ben Buchri, for it was taught in a *Mishna*: Rabbi Yehudah said: Ben Buchri testified at Yavneh that a *Kohen* who donated a *shekel* has not committed a sin. [*Evidently, he is not obligated to donate the half-shekel. The Gemora in Shekalim derives this from a verse, which indicates that only*

those who were counted by Moshe in the general census have this obligation; this excludes the Kohanim who were counted by themselves.] Rabban Yochanan ben Zakkai said to him: Not so, but rather a Kohen who did not donate the shekel has committed a sin. The Kohanim, however, used to expound the following verse to their advantage: *And every minchah offering of a Kohen shall be completely burned; it shall not be eaten.* [Now, if they would donate as well, a communal minchah would be partly theirs, and therefore, it would need to be completely burned.] Now, since the omer offering and the two loaves and the lechem hapanim are ours, how can they be eaten? [They therefore did not donate.]

The Gemora asks: But according to Ben Buchri, since they are not in the first place obligated to bring it (the shekel), if one brings it, he should be considered a sinner, for he is bringing nonconsecrated things to the Courtyard?

The Gemora answers: They bring the shekel and hand it over completely to the congregation (and it is therefore consecrated).

Now, I might have thought that since the Torah states: *And all your valuations shall be according to the sacred shekel*, only he to whom the obligation of the shekel applies is included in the laws of valuation, but as to Kohanim, since the obligation of the shekel does not apply to them, they are not included in the laws of valuation as well; therefore, the Mishna informs us that they are.

Abaye asked him: But the words, '*And all your valuations*' serve to teach that all your valuations must be no less than one se'la (even if he is too poor for the standard valuation; and therefore, the words are not extra to teach us that Kohanim are not subject to the laws of valuation)?

Rather, said Abaye, the Mishna's ruling regarding Kohanim is necessary for the following reason: I might have thought that since the Torah states: *And those that are redeemed — from a month old shall you redeem them, according to your*

valuation. This perhaps would teach us that only he to whom the law of redeeming the firstborn applies is included in the laws of valuation, but as to Kohanim, since they are not included in the law concerning redemption of the firstborn, therefore they are not included in the law of valuations; therefore, the Mishna informs us that they are.

Rava asked him: If so, let us consider the *asham* ram (for one who swore falsely about taking someone else's money, and afterwards repented), where it is written: *And he shall bring his guilt offering to Hashem, a ram without blemish from the flock, according to the proper valuation*; let us also argue that only he to whom the law of valuation applies is liable to bring an *asham* ram, but a *tumtum* or an *androgynous*, who is not subject to the law of valuation, is exempt from the obligation to bring an *asham* ram (where such an exemption would be nonsensical)?

Rather, said Rava, or as some say that Rav Ashi said: the Mishna's ruling regarding Kohanim is necessary for the following reason: I might have thought that since the Torah states: *[If he is too poor] then he shall stand him before the Kohen*. Perhaps only a *Yisrael* is stood up before the Kohen (to be assessed), but not a Kohen before a fellow Kohen; therefore, the Mishna informs us that Kohanim, too, are included in the law of valuation. (4a)

Scriptural Sources

The Gemora had stated above that when the Mishna states that 'all' are subject to an *erech* vow, it means to include a repulsive person or one afflicted with boils.

The Gemora asks: From where is this known?

The Gemora cites a *braisa*: *According to your valuation*. This includes an unspecified *erech* vow (which will be explained below).

Another interpretation: *According to your valuation*. One pays only for the valuation of an entire person, but not for the valuation of his limbs. One might have thought that they exclude the valuation of anything on which the soul is dependent (*i.e., a vital organ*); therefore it is written: *Living beings*. *Living being*, but not a dead person. Perhaps I would exclude the dead, but not one who is in the throes of death; therefore it is written: *Then he shall stand him... and the Kohen shall evaluate him*. Only one who is fit for 'standing' can be evaluated, but one who is not fit for 'standing' cannot be evaluated.

Another interpretation: *Living beings*. I could infer only the case of one vowing the *erech* of one person; from where do I know the case of one vowing the *erech* of a hundred people? It is written: *Living beings*.

Another interpretation: *Living beings*. I could infer only the case of a man vowing the *erech* of either a man or a woman, but from where do we know the case of a woman vowing the *erech* of a man, or of a woman vowing the *erech* of a woman? It is therefore written: *Living beings*.

Another interpretation: *Living beings*. That means to include one who is repulsive or afflicted with boils, for one might have thought that since the Torah says: *a vow according to your erech* - that only such persons as are fit to be made the subjects of a vow (*regarding their value*), are fit to be made subjects of an *erech*, and those people who are unfit to be made subjects of a vow, are also unfit to be made subjects of an *erech* (*which would therefore exclude a repulsive person or one afflicted with boils*); therefore the Torah informs us: *living beings* – anyone, no matter who they may be.

The *braisa* continues: *Then the valuation shall be*. This includes a *tumtum* and an *androgynous* for a *damim* (*their worth on the slave market*) vow, for I might have thought that since the Torah states: *A vow according to your valuation*; perhaps only people who are subject to an *erech* vow can be subject to a *damim* vow, but people (*such as a tumtum or*

androgynous) that are not subject to an *erech* vow (*for they are not a definite male or female*) cannot be subject to a *damim* vow as well; therefore the Torah states: *The valuation shall be*.

The *braisa* concludes: *The male*. An *erech* vow is only for the male but not for a *tumtum* or an *androgynous*. One might have thought that they may not be subject to the *erech* of a man, but that they are subject to the *erech* of a woman; therefore the Torah states: *Then the valuation shall be for the male . . . and if she is a female* — this teaches us that only a definite male or female is subject to an *erech* vow, but not a *tumtum* or an *androgynous*.

The *Gemora* proceeds to explain the aforementioned *braisa*: The master had said: *According to your valuation*. This includes an unspecified *erech* vow.

A *braisa* explains an unspecified *erech* vow: If someone says, "I accept upon myself the obligation of an unspecified *erech*," he gives according to the minimum amount possible in valuations. What is the minimum due in valuations? Three *shekalim* (*which is the amount which the Torah prescribes for a female between the ages of one month and five years*).

The *Gemora* asks: But say, perhaps, that he should need to pay fifty *shekalim* (*which is the highest amount*)?

The *Gemora* answers: If you take hold of the larger amount, you may not have taken hold at all, but if you take hold of the lower amount, you have surely taken hold! [By taking the smaller amount, we are not in contradiction with the larger one, and on the contrary, it is included in the larger amount; this is much more preferable than taking the larger which contradicts and is not included in the smaller amount.]

The *Gemora* asks: Then say, perhaps, he should only pay one *shekel*, as it is written: *And all your valuations shall be according to the sacred shekel*?



The *Gemora* answers: That verse refers to the case where one cannot afford to pay the amount of his *erech* vow.

The *Gemora* asks: What then is the purpose of the Scriptural verse? [*Logic dictates that he must pay three shekalim; we cannot demand from him more, and we have proven that he cannot pay less than three!?*]

Rav Nachman answers in the name of Rabbah bar Avuha: It is to teach us that in this case he is not judged according to his means (*and he must pay three shekalim even if it is beyond his mean*). This is because it is as if he had specified the minimum amount.

Others say: Rav Nachman said in the name of Rabbah bar Avuha that he is judged according to his means. The *Gemora* notes that this is not obvious, for I might have thought that an unspecified *erech* vow is considered like an specified statement; therefore we are informed that it is regarded like a poor man's vow.

The *braisa* had stated: Another interpretation: *According to your valuation*. One pays only for the valuation of an entire person, but not for the valuation of his limbs.

The *Gemora* asks: But you have used this verse to learn the law concerning an unspecified *erech* vow?

The *Gemora* answers: Read it as *erech* (*which teaches us regarding the unspecified vow*), and the extra suffix at the end of the word teaches the other law.

The *braisa* had stated: One might have thought that they exclude the valuation of anything on which the soul is dependent (*i.e., a vital organ*); therefore it is written: *Living beings. Living being*, but not a dead person.

The *Gemora* asks: But you have used this verse to learn the law concerning an *erech* vow on a vital organ?

The *Gemora* answers: Read it as *nefesh* (*which teaches us regarding a vital organ*), and the plural form of the word teaches the other law.

The *braisa* had stated: Perhaps I would exclude the dead, but not one who is in the throes of death; therefore it is written: *Then he shall stand him... and the Kohen shall evaluate him*. Only one who is fit for 'standing' can be evaluated, but one who is not fit for 'standing' cannot be evaluated.

The *Gemora* asks: But, if so, a dead person should also be excluded from there (for he cannot be stood up)?

The *Gemora* answers that this is indeed so, and the exposition is really for what we will say later on.

The *braisa* had stated: *Living beings*. I could infer only the case of one vowing the *erech* of one person; from where do I know the case of one vowing the *erech* of a hundred people? It is written: *Living beings*. Another interpretation: *Living beings*. I could infer only the case of a man vowing the *erech* of either a man or a woman, but from where do we know the case of a woman vowing the *erech* of a man, or of a woman vowing the *erech* of a woman? It is therefore written: *Living beings*. Another interpretation: *Living beings*. That means to include one who is repulsive or afflicted with boils.

The *Gemora* asks: But you have used the word (*and its plural form*) for these other rulings?

The *Gemora* answers that no Scriptural verses are necessary for these, because each inference is equal (*in its ability to derive*), therefore, they all may be inferred from one single verse. [*The word 'nefesh' allows with even logic several inferences: a, male or female may declare or be a subject to an erech vow; a hundred people can be the subject of an erech vow; one can declare an erech vow regarding a vital organ. These inferences are balanced - evenly justified, and not one of them may be inferred exclusively as more logical*]



than the other. But the inclusion of a repulsive or afflicted with boils, which is perhaps somewhat inappropriate because such people cannot be a subject to a damim vow, needed some textual justification, and that is provided by the plural 'nefashos.'] The verse is necessary to include one who is repulsive or afflicted with boils. (4a – 4b)

INSIGHTS TO THE DAF

Will Megillah Reading be Considered Learning?

The Gemora learns that one must cease from learning Torah in order to go and hear the *Megillah*.

The Beis Efraim asked the son of the Noda B'Yehuda as to why this would be considered bitul Torah. Isn't the reading of the *Megillah* also considered learning? The Beis Efraim maintains that one who reads the *Megillah* or listens to it will not be fulfilling a mitzva of studying Torah. The Avnei Neizer (O" C 517) disagrees with him vehemently to such an extent that he writes: "I do not believe that those words came out of the mouth from such a righteous person as the Beis Efraim."

Reb Chaim Voloziner talks at great length that there is a concept of neglecting to study Torah in depth and not only time. According to this, the Gemora can be explained to mean that even though reading the *Megillah* is considered learning, nonetheless it would be regarded as bitul Torah since he is not delving into the depths of Torah; if not for the special halacha that one is obligated to close the Gemora and hear the *Megillah*.

The Beis Efraim himself speculates that perhaps one cannot fulfill the Mitzva of learning Torah through the reading of the *Megillah* because it is part of Tefillah. This is based on the viewpoint of the Beis Yosef, who rules regarding one who had forgotten to recite birchas hatorah in the morning. The blessing of Ahava Rabbah can be utilized as a birchas hatorah,

providing that he learns immediately after Shemoneh Esrei. The recital of Krias Shema will not be sufficient because that is part of Tefillah. Perhaps, the same logic can be used for the reading of the *Megillah*.

The Chochmas Shlomo answers that according to those that rule that one needs intent in order for him to discharge his obligation; it is impossible to have in mind for two mitzvos when he is only performing one action.