



Half Measures

The third *perek* of *Shevuot* discusses the *shevuat bitui*. This refers to an oath regarding the performance of an action, either in the future or past. We learn that if one inadvertently breaks the oath then they are obligated to bring a *korban oleh ve'yored* (as discussed last week). The first *Mishnah* records the debate regarding one that made a *shevuah* not to eat something. *R' Akiva* maintains that if the person then ate, even the smallest amount, they would have violated the *shevuah*. The *Chachamim* however argue that only if the person had a *kezayit* sized amount they would be liable for breaking the *shevuah*. The *Chachamim* reason that in general, one is only liable for consuming a forbidden food if they consumed a *kezayit* amount. *R' Akiva* however responds that the area of *shevuot* is novel and no comparisons can be drawn from other areas of *halacha*.

The *Rambam* (*Shevuot* 4:1) rules like the *Chachamim* that if after making such a vow, one ate less than a *kezayit* they would be exempt. The *Rambam* however compares this case to one that less than a *kezayit* of non-kosher meat. The comparison implies that while one would not be obligated to bring a *korban*, it would nevertheless be forbidden to consume less than a *kezayit*.

The *Avi Ezri* cites two comments of the *Ran*. In the first, from his *chidushim*, the *Ran* questions the *Rambam's* position. He explains that *chatzi shiur* (half the measure that would constitute a violation of the prohibition) is prohibited for a biblical prohibition either based on a *pasuk* ("*kol chelev*") and logically based on the concern that one might continue to eat and reach the prohibited amount. He argues however that for a prohibition that one creates for themselves (by way of *shevuah*) if his declaration applied to a *chatzi shiur*, then consuming that amount should be liable to lashes. If however "eating" implies only a *kezayit's* worth, then less than that amount is by definition permitted. In the second comment of the

Ran, in his glosses to the *Rif*, the *Ran* defend the *Rambam* explaining that since a *chatzi shiur* is prohibited because one might add to it until reaches the prohibited amount, that same logic would also apply to *shevuot*. Who do we understand these two explanations of the *Ran*.

The *Avi Ezri* explains that according to the first understanding, *chatzi shiur* is itself a forbidden since it is considered part of a forbidden object. Consequently, even if it was not possible for the full *shiur* to be completed, it would still be forbidden to consume the half *shiur*. The example would be if one ate a half a *kezayit* of *chametz* just before the end of *Pesach*. The *Avi Ezri* cites *R' Akiva Eiger* that disagrees with his position. Viewing *chatzi shiur* in this light, the logic would not stand for *shevuot*, since what he is eating at that moment is completely permitted – it is not considered part of a forbidden object. The fact that one may consume more is not a basis to forbid the *chatzi shiur* now.

According to the second understanding however, even if the half *shiur* is considered a permitted object, since one might increase it to a full *shiur*, one is not allowed to consume it. When we derive *chatzi shiur* from the verse "*kol chelev*", it is not to be understood that the prohibition of *chelev* applies to the *chatzi shiur*. Rather a new prohibition of "*chatzi shiur*" is being derived from the *pasuk*. Similarly, this prohibition of *chatzi shiur* applies to anything which would be prohibited if its quantity was increased. This then explains the position of the *Rambam*, since this understanding of the prohibition of "*chatzi shiur*" could equally to apply to our case as well. According to this understanding, in a case where it would not be possible for the quantity to be increased, then one could argue that the prohibition of *chatzi shiur* would not apply.

Revision Questions

שבועות א': ג' – ג': א'

- What *korban* atones for one that entered the *Mikdash* in a state of impurity deliberately? (א': ג')
- What does the *seir ha' mishtaleach* atone for? (א': ג')
- With respect to which *aveirah* is there a difference between the *korban* for *kohanim* and the rest of *Yisrael* and what are the respective *korbanot*? (א': ג')
- Complete the following expression and explain: (ב': א')
_____ שהן _____ ידיעות הטומאה
- Where exactly has someone entered (in a state of *tum'ah*) if they are obligated to bring a *korban oleh ve'yored*? (ב': ב')
- Explain the process by which the *azarah* could be extended. (ב': ב')
- When would someone who got *tameh* while in the *azarah* be required to bring a *korban oleh ve'yored*? (ג': ב')
- What is the case regarding *niddah* that is similar to the discussion in the previous *Mishnah*? (ב': ד')
- Regarding which form of *helem* is the subject of the debate whether the person would bring a *korban oleh ve'yored*? (ב': ה')
- Complete the following expression and explain: (ג': א')
_____ שהן _____ שבועות
- What is the law if someone made a *shevuah* not to eat, and:
 - They ate and drank? (א': ג')
 - They ate three different type of bread? (ב': ג')
- Regarding the previous question, when would the law be different? (ג': א'-ב')
- What other case is brought that shares a similar law to the previous two questions? (ג': ג')
- If a person made a *shevuah* not to eat, and he ate, when would he not be *chayav*? (ג': ד')
- Explain the debate regarding a person who made a *shevuah* not to eat, then ate *neveilot* and *tereifot*. (ג': ד')
- The *Mishnah* explains that *shevuot* apply to four extra categories – what are they? Explain. (ג': ה')
- If a man made a *shevuah* to fulfill the *mitzvah* of *tefillin* and missed a day is he obligated to bring a *korban*? (ג': ו')
- Explain *R' Yehuda ben Beteira's* opinion regarding the previous question and the *Chachamim's* counter argument. (ג': ו')
- What is the punishment for one that transgresses a *shevuat bitui*? (ג': ז')
- What is the difference between one that transgresses a *shevuat bitui* and a *shevuat shav*? (ג': ז')

Melbourne, Australia

Sunday -Thursday

10 minutes before *Mincha*
Mizrachi Shul
Melbourne, Australia

Friday & Shabbat

10 minutes before *Mincha*
Mizrachi Shul
Melbourne, Australia

Efrat, Israel

Shiur in English

Sunday -Thursday

Rabbi Mordechai Scharf
9:00am
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Reemon Neighbourhood

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Rabbi Chaim Brown
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Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
19 May י"ד אייר	20 May ט"ו אייר	21 May ט"ז אייר	22 May י"ז אייר	23 May י"ח אייר	24 May י"ט אייר	25 May כ" א אייר
Shevuot 1:6-7	Shevuot 2:1-2	Shevuot 2:3-4	Shevuot 2:5-3:1	Shevuot 3:2-3	Shevuot 3:4-5	Shevuot 3:6-7

