



Avot Olam

The *Mishnah* (1:3) in *Eduyot* mentions a debate between *Hillel* and *Shammai* regarding a law in *mikvaot* – the volume of drawn water that would invalidate a *mikvah*. The *Mishnah* however ends by explaining that a third opinion was accepted. This opinion was presented based on the testimony of two weavers from *sha'ar ha'ashpaut* that presented the opinions of *Shamaya* and *Avtalyon*.¹

The *Melechet Shlomo* (1:3) cites the *Rash Sarilio* who explains that despite *Hillel* and *Shammai* feeling that their opinions were more logical, once they heard the tradition related to this law, they accepted it.

The *Rambam* (1:4) however appears to understand that it was the *Chachamim* who accepted the position of the two weavers, setting aside the opinions of *Hillel* and *Shammai*.

The next *Mishnah* (1:4) then asks, why the *Mishnah* mentioned the opinions of the *Shammai* and *Hillel*, considering that their opinions were ultimately rejected. The *Mishnah* answers that that this was to teach people not to stubbornly stick to their opinion. Why? “Because the *Avot Olam* – *lo amdu al divereim*” – they did not stand by their words. How do we understand this *Mishnah*?

Recall that the *Rash Sirilio* explained that *Shammai* and *Hillel* retracted. Accordingly, the *Mishnah* is teaching that even these great *Chachamim* ultimately accepted

the tradition of the two weavers and accepted the truth. Consequently, one should learn not to be stubborn, but rather be willing to admit when faced with the truth.

According to the *Rambam*, the opinions of *Shammai* and *Hillel* were overruled. The *Rambam* explains that the *Mishnah* is teaching that one should not try to force his position, considering that the opinions of these great sages were rejected. The *Shoshanim LeDavid* adds that despite one being convinced of his opinion, the *Mishnah* is teaching that one is fallible and prone to confirmation bias. Seeing that even the opinions of these giants were not accepted, should give one pause for the thought when engaged in a debate.²

The *Shoshanim LeDavid* however addresses the question of why *Shammai* and *Hillel* are referred to as “*Avot Olam*” (fathers of the world). He cites the *Maaseh Rokeach* who explains that it is well known that *Hillel* exemplified that attribute of *chessed* while *Shammai* stemmed from *gevurah*. In this case the *Chachamim* adopted the *halachic* position between the two, which resembles that attribute of *tifferet*. Indeed the *Avot*, *Avraham*, *Yitzchak* and *Yaakov* each embodied these three attributes – *chessed*, *gevurah* and *tifferet*. Since only *Avraham*, *Yitzchak* and *Yaakov* are referred to as the *avot* and in this case, all three of their attributes are found in their completeness, the term *avot* is appropriately used.

Yisrael Bankier

¹ See volume 10 issue 32 for an analysis of the details of that *Mishnah*.

² The *Shoshanim LeDavid* notes that the difficulty with this explanation is that the term *omed* (*al devarav*) would have a different meaning in the two times mentioned in the *Mishnah*.

Revision Questions

שבועות ז' ח' – ח' ה'

- In which five cases can one obligate another to make a *shevuah* without a definite claim? (ז': ח')
- What are the four different types of guardians? (ח': א')
- For each of the guardians, when do they make a *shevuah* exempting themselves from paying compensation? (ח': א')
- Is a *shomer chinam* obligated to bring a *korban* if he made a *shevuah* stating that the animal he was guarding was lost but in truth it had died? (ז': ח' ב')
- If a *shomer chinam* swore that the ox he was guarding was lost but in truth the *shomer* ate the ox, what compensation is he required to pay if: (ח': ג')
 - Witnesses came and testified that he slaughtered and ate the ox?
 - He admitted he lied prior to any witnesses testifying that he lied?
- What is the law if a *shomer* swore that the ox was stolen, and witnesses came and said that the *shomer* stole, slaughtered and sold the ox? (ז': ח' ד')
- Regarding the previous question, what is the law if the *shomer* saw the witnesses approaching and quickly admitted that he stole the ox? (ז': ח' ד')
- What is the law if a *sho'el* made a *shevuah* stating that the animal he was guarding was lost but in truth it had died? (ח': ה')
- Regarding the previous question, what if the *sho'el* made a *shevuah* denying ever having borrowed the ox? (ח': ו')
- What are the two general rules brought at the end of the *masechet*? (ח': ו')

עדות א' א' – ז'

- What are the three debates between *Shammai* and *Hillel* brought in the beginning of the *masechet*? (א': א' ג')
- What is different about how we rule in these three cases? (א': א' ג')
- In the final case, what is strange about the way *Hillel* presents his case? (א': ג')
- What is special about the conclusion in the third case? (א': ג')
- Why does the *Mishnah* mention the opinions of *Shammai* and *Hillel* if the *Halacha* does not follow their opinions? (ז': א' ד')
- Why does the *Mishnah* mention a minority opinion if the *Halacha* follows the majority? Provide two answers. (א': ה' ו')
- What are the two requirements for a *Beit Din* to overrule a decision of another *Beit Din*? (ח': א' ה')
- What is unique about the debates in *Mishnayot* 7-11? (א': ז')
- What is the debate regarding how *rova atzamot* is calculated and for what law is it important? (א': ז')

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Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
16 March ט"ז אדר	17 March י"ז אדר	18 March י"ח אדר	19 March י"ט אדר	20 March כ' אדר	21 March כ"א אדר	22 March כ"ב אדר
Eduyot 1:8-9	Eduyot 1:10-11	Eduyot 1:12-13	Eduyot 1:14-2:1	Eduyot 2:2-3	Eduyot 2:4-5	Eduyot 2:6-7

