דַּף יוֹמִי · עֲרָכִין · דַּף כ׳

Daf Yomi · The Full Daf · Elucidated Talmud · Navy & Gold Edition · with Rashi

📖 **THE SUGYA**

In this sugya, the Gemara continues to clarify complex safeks regarding double vows of demachin (market value), asking whether two sequential vows require two separate assessments—where the second valuation drops after the first pledge is deducted—or if one combined assessment is made and doubled. The Gemara also explores whether a person's general market value as a slave, known informally without a formal Beis Din appraisal, is enough to create a binding obligation for demachin before death.

All introductions, summaries, and contextual notes are the editor's commentary and are not part of the original text.

עַמּוּד א׳ DAF 20A

QUESTION

בְּחַד זִימְנָא אָמְדִינַן לֵיהּ,

do we assess him once for his overall value now, and he pays double that single assessment,

QUESTION

אוֹ דִלְמָא כֵּיוָן דִּבְזֶה אַחַר זֶה נָדַר, תְּרֵי זִימְנֵי אָמְדִינַן לֵיהּ?

or perhaps, since he vowed in a manner of **one after the other, we assess him twice,** meaning first we assess him, he pays that amount, and then we assess what he is worth after that reduction?

QUESTION

וְאִם תִּמְצָא לוֹמַר: כֵּיוָן דִּבְזֶה אַחַר זֶה נָדַר תְּרֵי זִימְנֵי אָמְדִינַן לֵיהּ,

The Gemara asks further: **And if you shall say** to resolve that dilemma: **Since he vowed one after the other, we assess him twice,** what about a case where he made both vows simultaneously? Namely, if **he said: "My market value is upon me twice,"** and he said this **simultaneously, what is** the halachic status?

QUESTION

אָמַר: ״שְׁנֵי דָּמַי עָלַי״ בְּבַת אַחַת, מַהוּ?

Where he **said: "My market value is upon me twice," simultaneously, what is** the halacha?

QUESTION

הָכָא וַדַּאי בְּבַת אַחַת נָדַר, בְּבַת אַחַת אָמְדִינַן לֵיהּ,

Do we say that **here, he certainly vowed simultaneously,** so **we assess him simultaneously** with a single assessment and double it,

QUESTION

אוֹ דִלְמָא כֵּיוָן דְּקָאָמַר ״שְׁנֵי״, כְּזֶה אַחַר זֶה דָּמֵי?

or perhaps, since he said the word **"two," it is considered like** two vows made **one after the other,** requiring two sequential assessments?

QUESTION

אִם תֵּימְצֵי לוֹמַר: כֵּיוָן דְּקָאָמַר ״שְׁנֵי״ כְּזֶה אַחַר זֶה דָּמֵי,

If you shall say to resolve this: **Since he said "two," it is considered like** two vows made **one after the other,** what if **they assessed him on their own,** i.e., ten people happened to appraise his value for general market purposes, not specifically for his vow; **what is** the halacha?

QUESTION

אַמָּדוּהוּ מֵאֲלָיו מַהוּ?

If **they assessed him on their own, what is** the halacha?

QUESTION

מִי אָמְרִינַן: הָא אַמִּיד מֵאֲלָיו וְקָאֵי,

Do we say: Behold, he stands assessed on his own, so there is no need for another assessment,

QUESTION

אוֹ דִלְמָא בָּעֵינַן כַּוָּונָה לְאוּמְדָנָא?

or perhaps we require intent for the assessment to be made specifically for the sake of Hegdesh?

PROOF

פְּשׁוֹט מִיהָא חֲדָא, דְּתָנַן:

The Gemara suggests: **Resolve at least one** of these dilemmas **from what we learned in a Mishnah** later (20b):

PROOF

״דְּמֵי עָלַי״ וּמֵת — לֹא יִתְּנוּ יוֹרְשִׁין, שֶׁאֵין דָּמִים לַמֵּתִים.

If one says: **"My market value is upon me," and he died, the heirs need not give** his payment to Hekdesh, **because there is no market value for the dead.**

PROOF

וְאִי סָלְקָא דַּעְתָּךְ אַמָּדוּהוּ מֵאֲלָיו הָוֵי אוּמְדָנָא, הָא אַמִּיד וְקָאֵי,

And if it should enter your mind to say that an assessment where **they assessed him on their own is** a valid **assessment,** why shouldn't the heirs pay? **Behold, he stands assessed** already from his lifetime,

PROOF

מִי אִיכָּא גַּבְרָא דְּלָא שָׁוֵי אַרְבְּעָה זוּזֵי?

for **is there a man who is not worth at least four zuz** as a slave in the market? Thus, every living person has a baseline assessment. This must prove that an assessment requires explicit intent for Hekdesh!

REFUTATION

אֲמָדוּהוּ מֵאֵלָיו — נִחֵית לְאוּמְדָנָא, ״דְּמַי עָלַי״ — לָא נִחֵית לְאוּמְדָנָא.

The Gemara rejects the proof: Where **they assessed him on their own, he has entered an assessment** process in practice; but where he merely said: **"My market value is upon me," he has not entered an assessment** process at all. Therefore, no proof can be brought from there regarding an informal market valuation.

מִשְׁנָה MISHNAH

MISHNAH

מַתְנִי׳ חוֹמֶר בָּעֲרָכִין מִבַּנְּדָרִים, כֵּיצַד?

MISHNAH: There is a severity in Erechin, fixed vows of valuation, **more than in Nedarim,** vows of market value. **How so?**

MISHNAH

הָאוֹמֵר: ״עֶרְכִּי עָלַי״ וָמֵת — יִתְּנוּ הַיּוֹרְשִׁים,

One who says: "My fixed valuation is upon me," and he died, the heirs must give the statutory value to Hekdesh;

MISHNAH

״דְּמַי עָלַי״ וָמֵת — לֹא יִתְּנוּ הַיּוֹרְשִׁים, שֶׁאֵין דָּמִים לַמֵּתִים.

whereas if one says: **"My market value is upon me," and he died, the heirs need not give** anything, **because there is no market value for the dead.**

MISHNAH

״עֶרֶךְ יָדִי״, וְ״עֶרֶךְ רַגְלִי עָלַי״ — לֹא אָמַר כְּלוּם.

If one says: **"The fixed valuation of my hand," or "the fixed valuation of my foot is upon me," he has not said anything,** for the Torah did not set an erech for individual limbs.

MISHNAH

״עֶרֶךְ רֹאשִׁי״, וְ״עֶרֶךְ כְּבֵידִי עָלַי״ — נוֹתֵן עֶרֶךְ כּוּלּוֹ.

However, if he says: **"The fixed valuation of my head," or "the fixed valuation of my liver is upon me," he must give the fixed valuation of his entire self.**

MISHNAH

זֶה הַכְּלָל: דָּבָר שֶׁהַנְּשָׁמָה תְּלוּיָה בּוֹ — נוֹתֵן עֶרֶךְ כּוּלּוֹ.

This is the general rule: If one vows the fixed valuation of **an organ upon which life depends, he must give the fixed valuation of his entire self.**

MISHNAH

״חֲצִי עֶרְכִּי עָלַי״ — נוֹתֵן חֲצִי עֶרְכּוֹ,

If he says: **"Half of my fixed valuation is upon me," he gives half of his fixed valuation.**

MISHNAH

"עֵרֶךְ חֶצְיִי עָלַי" — נוֹתֵן עֵרֶךְ כּוּלּוֹ,

If he says: **"The fixed valuation of my half is upon me," he must give the fixed valuation of his entire self.**

MISHNAH

"חֲצִי דָּמַי עָלַי" — נוֹתֵן חֲצִי דָּמָיו,

Likewise, if he says: **"Half of my market value is upon me," he gives half of his market value;**

MISHNAH

"דְּמֵי חֶצְיִי עָלַי" — נוֹתֵן דְּמֵי כּוּלּוֹ.

if he says: **"The market value of my half is upon me," he must give the market value of his entire self.**

MISHNAH

זֶה הַכְּלָל: דָּבָר שֶׁהַנְּשָׁמָה תְּלוּיָה בּוֹ — נוֹתֵן דְּמֵי כּוּלּוֹ.

This is the general rule: Vowing the value of **an organ upon which life depends** requires one to **give the market value of his entire self.**

MISHNAH

הָאוֹמֵר: "עֶרְכּוֹ שֶׁל פְּלוֹנִי עָלַי", מֵת הַנּוֹדֵר וְהַנִּידָּר — יִתְּנוּ הַיּוֹרְשִׁין.

Regarding **one who says: "The fixed valuation of So-and-so is upon me," and the vower died or the subject of the vow died, the heirs must give** that erech to Hekdesh.

MISHNAH

"דָּמָיו שֶׁל פְּלוֹנִי עָלַי", וּמֵת הַנּוֹדֵר — יִתְּנוּ הַיּוֹרְשִׁין,

If he says: **"The market value of So-and-so is upon me," and the vower died, the heirs must give** the market value to Hekdesh;

MISHNAH

מֵת הַנִּידָּר — לֹא יִתְּנוּ הַיּוֹרְשִׁין, שֶׁאֵין דָּמִים לַמֵּתִים.

but if **the subject of the vow died** before being assessed, **the heirs need not give** anything, **because there is no market value for the dead.**

גְּמָרָא GEMARA

BRAISA

גְּמָ' תָּנוּ רַבָּנַן: חוֹמֶר בַּנְּדָרִים מִבַּעֲרָכִין,

GEMARA: The Rabbis taught in a Braisa: There is a severity in Nedarim, market value vows, **more than in Erechin,** fixed valuations:

BRAISA

שֶׁהַנְּדָרִים חָלִין עַל בְּהֵמָה חַיָּה וָעוֹף, וְאֵין נִדּוֹנִים בְּהֶשֵּׁג יָד, מָה שֶׁאֵין כֵּן בָּעֲרָכִין.

for Nedarim take effect upon a domestic animal, a wild animal, and a bird, and they are not judged by affordability (the sliding scale of heseg yad), **which is not so regarding Erechin,** which apply only to humans and have a mechanism for the poor to pay less.

BRAISA

חוֹמֶר בָּעֲרָכִין מִבַּנְּדָרִים, כֵּיצַד?

The Braisa continues: **There is a severity in Erechin more than in Nedarim. How so?**

BRAISA

אָמַר: "עֶרְכִּי עָלַי" וָמֵת — יִתְּנוּ יוֹרְשִׁין, "דָּמַי עָלַי" וָמֵת — לֹא יִתְּנוּ יוֹרְשִׁין, שֶׁאֵין דָּמִים לַמֵּתִים.

If **he said: "My fixed valuation is upon me," and he died, the heirs must give** it; whereas if he said: **"My market value is upon me," and he died, the heirs need not give** it, **because there is no market value for the dead.**

GEMARA

אָמַר "עֶרְכִּי עָלַי" וָמֵת — יִתְּנוּ יוֹרְשִׁין.

The Gemara analyzes the ruling: The Braisa stated that if **he said: "My fixed valuation is upon me," and he died, the heirs must give** it.

INFERENCE

שְׁמַע מִינַּהּ מִלְוָה עַל פֶּה גּוֹבֶה מִן הַיּוֹרְשִׁין?

May we infer from this that a verbal loan—an unwritten debt—**can be collected from heirs?** Since this vow is an unwritten obligation, its collection from heirs implies that all verbal debts are collectable from heirs!

ANSWER

שָׁאנֵי הָכָא, דִּמְלְוָה כְּתוּבָה בַּתּוֹרָה הִיא.

The Gemara answers: **It is different here, for it is a loan written in the Torah.** Since the amount of an erech is explicitly specified in the Torah, it is not like an ordinary unwritten debt.

QUESTION

שְׁמַע מִינַּהּ: מִלְוָה הַכְּתוּבָה בַּתּוֹרָה כִּכְתוּבָה בִּשְׁטָר דָּמְיָא?

The Gemara questions this distinction: **May we then infer from this that a loan written in the Torah is considered like a debt written in a document** (a shtar)?

ANSWER

הָכָא בְּמַאי עָסְקִינַן — כְּשֶׁעָמַד בַּדִּין.

The Gemara answers: **With what are we dealing here? With a case where he stood in judgment** before the Beis Din, and they rendered a verdict against him while he was alive. A court judgment creates a lien equivalent to a document.

OBJECTION

דִּכְוָותַהּ גַּבֵּי ״דָּמַי עָלַי״ שֶׁעָמַד בַּדִּין, אַמַּאי לֹא יִתְּנוּ יוֹרְשִׁין ״דָּמַי עָלַי״?

The Gemara objects: If so, **in a corresponding case regarding** one who said **“My market value is upon me,” where he stood in judgment, why should the heirs not give** his payment for **“My market value is upon me”?** Why does the Braisa say heirs are exempt by market value?

RESOLUTION

מְחוּסַּר אוּמְדָנָא. ״עֶרְכִּי עָלַי״ — לֹא מְחוּסָּר וְלֹא כְּלוּם.

The Gemara resolves: Market value **lacks an assessment** by the court to set the exact sum before death; whereas by **“My fixed valuation is upon me,” it lacks nothing at all,** for the amount is set by Torah law.

GEMARA

עֶרְךְ יָדִי וְרַגְלִי עָלַי וְכוּ׳.

We learned in the Mishnah: If one says: **“The fixed valuation of my hand or my foot is upon me,”** he has said nothing.

STATEMENT

אָמַר רַב גִּידֵּל אָמַר רַב: וְנוֹתֵן דָּמֶיהָ.

Rav Giddal said in the name of Rav: And he must give its market value.

OBJECTION

וְהָא ״לֹא אָמַר כְּלוּם״ קָתָנֵי!

The Gemara asks: **But doesn't the Mishnah teach: “He has not said anything”?** How can Rav say he pays its market value?

ANSWER

לֹא אָמַר כְּלוּם לְרַבָּנַן, וְנוֹתֵן דָּמֶיהָ לְרַבִּי מֵאִיר.

The Gemara answers: The Mishnah means: **He has not said anything according to the Rabbanan,** who hold the vow is entirely void; **and he gives its market value according to Rabbi Meir,** who holds a person does not utter words in vain.

OBJECTION

הָא אַמְרַהּ חֲדָא זִימְנָא, דְּאָמַר רַב גִּידֵּל אָמַר רַב: הָאוֹמֵר ״עֶרְךְ כְּלִי זֶה עָלַי״ נוֹתֵן דָּמָיו!

The Gemara asks: **Behold, Rav already said this once! For Rav Giddal said in the name of Rav: One who says, “The fixed valuation of this vessel is upon me,” gives its market value!** Why repeat this principle here?

RESOLUTION

מַהוּ דְּתֵימָא: הָתָם הוּא דְּאָדָם יוֹדֵעַ שֶׁאֵין עֶרְךְ לִכְלִי, וְגָמַר וְאָמַר לְשֵׁם דָּמִים,

The Gemara answers: It is necessary, **lest you say: Only there** by a vessel is it true **that a person knows that there is no fixed valuation for a vessel, so he fully intended and said it for the sake of market value;**

RESOLUTION

אֲבָל הָכָא מִיטָּא קָטָעֵי, דְּסָבַר כִּי הֵיכִי דְּאִיכָּא ״עֶרְךְ רֹאשִׁי״ וְ״עֶרְךְ כְּבֵידִי״, אִיכָּא נָמֵי ״עֶרְךְ יָדִי״ וְ״עֶרְךְ רַגְלִי״, אֲבָל דְּמֵי לָא קָאָמַר — קָא מַשְׁמַע לַן.

but here, he is simply mistaken, for he thought: Just as there is "the fixed valuation of my head" and "the fixed valuation of my liver," so too there is "the fixed valuation of my hand" and "the fixed valuation of my foot," but he did not intend to vow market value at all. Therefore, Rav **comes to teach us** that according to Rabbi Meir, he pays market value even here.

EXPLANATION

"עֶרְכִּי רֹאשִׁי" וְ"עֶרְכִּי כְּבֵידִי" — נוֹתֵן עֶרְכּוֹ כּוּלּוֹ. מַאי טַעְמָא?

We learned in the Mishnah: If one says: **"The fixed valuation of my head," or "the fixed valuation of my liver is upon me," he must give the fixed valuation of his entire self. What is the reason?**

EXPLANATION

"נְפָשׁוֹת" קָאָמַר רַחֲמָנָא.

The Gemara explains: **The Merciful One states "souls"** (Vayikra 27:2) regarding Erechin, implying that an erech applies to a whole soul/vital organ upon which life depends.

EXPLANATION

זֶה הַכְּלָל: דָּבָר שֶׁהַנְּשָׁמָה תְּלוּיָה בּוֹ וכו'. לְאֵתוֹיֵי מִן הָאַרְכּוּבָּה וּלְמַעְלָה.

We learned in the Mishnah: **This is the general rule:** If one vows the valuation of **an organ upon which life depends, etc.** The Gemara asks: What does this rule come to add? It comes **to add** a vital portion of a leg, namely **from the knee and above.**

BRAISA

חֲצִי עֶרְכִּי עָלַי נוֹתֵן כּוּ'. תָּנוּ רַבָּנַן:

We learned in the Mishnah: If one says: **"Half of my fixed valuation is upon me," he gives** half of his fixed valuation. **The Rabbis taught in a Braisa:**

BRAISA

"חֲצִי עֶרְכִּי עָלַי" — נוֹתֵן חֲצִי עֶרְכּוֹ. רַבִּי יוֹסֵי בְּרַבִּי יְהוּדָה אוֹמֵר: לוֹקֶה וְנוֹתֵן עֶרְכּוֹ שָׁלֵם.

If one says: **"Half of my fixed valuation is upon me," he gives half of his fixed valuation. Rabbi Yose b'Rabbi Yehudah says: He is penalized and must give a complete fixed valuation.**

QUESTION

לוֹקֶה?! אַמַּאי?

The Gemara asks: **He is penalized [lokeh]?! Why** should he be penalized?

ANSWER

אָמַר רַב פָּפָּא: לוֹקֶה בְּעֶרְכּוֹ שָׁלֵם, מַאי טַעְמָא? גְּזֵירָה "חֲצִי עֶרְכּוֹ" אַטּוּ "עֶרְכּוֹ חֲצִיּוֹ", וְ"עֶרְכּוֹ חֲצִיּוֹ" דָּבָר שֶׁהַנְּשָׁמָה תְּלוּיָה בּוֹ.

Rav Pappa said: He is not given lashes, but rather **he is penalized regarding a complete valuation; what is the reason? It is a decree** penalizing the phrase **"half of his fixed valuation" on account of** the phrase **"the fixed valuation of his half"; and "the fixed valuation of his half" is an organ upon which life depends,** which obligates a full valuation.

EXPLANATION

”חֲצִי דָּמַי עָלַי“ — נוֹתֵן כּוּ׳. ”דְּמֵי חֲצִיי עָלַי“ — נוֹתֵן דְּמֵי כּוּלּוֹ, מַאי טַעְמָא?

We learned in the Mishnah: **“Half of my market value is upon me,” he gives... “The market value of my half is upon me,” he gives the market value of his entire self. What is the reason?**

EXPLANATION

”נֶדֶר בְּעֶרְכְּךָ נְפָשׁוֹת“ כְּתִיב.

It is written: “When a man expresses a vow according to your valuation of souls” (Vayikra 27:2), equating Nedarim to Erechin in this regard.

EXPLANATION

זֶה הַכְּלָל: דָּבָר שֶׁהַנְּשָׁמָה תְּלוּיָה בּוֹ, לְאֵתוֹיֵי מִן הָאַרְכּוּבָּה וּלְמַעְלָה.

We learned in the Mishnah: **This is the general rule:** An organ **upon which life depends.** The Gemara notes: This comes **to add from the knee and above.**

BRAISA

תָּנוּ רַבָּנַן: הַמַּעֲרִיךְ חֲצִי עֵרֶךְ כְּלִי, רַבִּי מֵאִיר אוֹמֵר: נוֹתֵן דָּמָיו, וַחֲכָמִים אוֹמְרִים: לֹא אָמַר כְּלוּם.

The Rabbis taught in a Braisa: One who evaluates half the value of a vessel—Rabbi Meir says: He gives its market value; and the Sages say: He has said nothing.

STATEMENT

רָבָא חַלַּשׁ, עוּל לְגַבֵּיהּ אַבָּיֵי וְרַבָּנַן, וְיָתְבִי וְקָאָמְרִי:

Rava felt weak; Abaye and the Rabbis entered to visit him, and they sat and said:

EXPLANATION

בִּשְׁלָמָא רַבִּי מֵאִיר קָסָבַר אֵין אָדָם מוֹצִיא דְּבָרָיו לְבַטָּלָה, לָא שְׁנָא כּוּלּוֹ וְלָא שְׁנָא חֲצִיוֹ.

Granted, Rabbi Meir holds that a person does not utter his words in vain, whether he vowed for **the whole** vessel **or whether** he vowed for **half of it;**

QUESTION

אֶלָּא רַבָּנַן מַאי קָסָבְרִי? אִי אָדָם מוֹצִיא דְּבָרָיו לְבַטָּלָה — אֲפִילּוּ כּוּלּוֹ נָמֵי, וְאִי אֵין אָדָם מוֹצִיא דְּבָרָיו לְבַטָּלָה — אֲפִילּוּ חֲצִיוֹ נָמֵי!

but the Rabbanan, what do they hold? If a person does utter his words in vain, then even if he vowed for **the whole** vessel it should **also** be void; **and if a person does not utter his words in vain, then even** for **half of it** he should **also** have to pay!

ANSWER

אֲמַר לְהוּ רָבָא וְאַבָּיֵי: רַבָּנַן דְּהָכָא כְּרַבִּי מֵאִיר סָבְרִי לַהּ, וְסָבְרִי לַהּ כְּרַבִּי שִׁמְעוֹן.

Rava said to them—and some say it was Abaye: The Rabbanan here hold like Rabbi Meir in one respect, **and they hold like Rabbi Shimon** in another respect.

EXPLANATION

סָבְרִי לַהּ כְּרַבִּי מֵאִיר, דְּאָמַר: ״אֵין אָדָם מוֹצִיא דְּבָרָיו לְבַטָּלָה״.

They hold like Rabbi Meir, who said: A person does not utter his words in vain.

EXPLANATION

וְסָבְרִי לַהּ כְּרַבִּי שִׁמְעוֹן, דְּאָמַר שֶׁלֹּא הִתְנַדֵּב כְּדֶרֶךְ הַמִּתְנַדְּבִים; כּוּלֵּיהּ אוֹרְחֵיהּ לְאִיתְנַדּוֹבֵי, פַּלְגֵיהּ לָאו אוֹרְחֵיהּ לְאִיתְנַדּוֹבֵי.

And they hold like Rabbi Shimon, who said: One who did not donate in the manner of donors has said nothing. For vowing **the entire** vessel **is the normal way to donate,** whereas vowing **half of it is not the normal way to donate.** Therefore, half a vessel is completely void.

EXPLANATION

הָאוֹמֵר ״עֶרְכּוֹ שֶׁל פְּלוֹנִי עָלַי״, וּמֵת הַנּוֹדֵר כּוּ׳. מַאי נִיהוּ? שֶׁעָמַד בַּדִּין.

We learned in the Mishnah: **One who says: "The fixed valuation of So-and-so is upon me," and the vower died, etc.** The Gemara asks: **What case is this?** It is a case **where he stood in judgment** before dying.

QUESTION

הַיְינוּ הָךְ!

The Gemara asks: But **this is identical** to the earlier clause regarding one who says "My fixed valuation is upon me"!

RESOLUTION

סֵיפָא אִיצְטְרִיךְ לֵיהּ, דְּמָיוֹ שֶׁל פְּלוֹנִי עָלָיו, וּמֵת הַנּוֹדֵר — יִתְּנוּ הַיּוֹרְשִׁים.

The Gemara answers: **The latter clause was needed by** the Tanna, namely the case of **"The market value of So-and-so is upon me," and the vower died, the heirs must give** it, because he stood in judgment and his value was already appraised by Beis Din prior to death.

עַמּוּד ב׳ DAF 20B

EXPLANATION

מַהוּ דְּתֵימָא, כֵּיוָן דְּלָא אַמְדוּהוּ לָא אִישְׁתַּעְבּוּד נִכְסֵי,

What might you have said? We might have thought: **Since they did not assess him** while he was alive, **his properties did not become encumbered** to pay this valuation after his death. Therefore, the Tanna...

EXPLANATION

קָא מַשְׁמַע לַן: כֵּיוָן דְּעָמַד בַּדִּין אִישְׁתַּעְבּוּדֵי אִישְׁתַּעְבּוּד נִכְסֵי, וְאוּמְדָנָא גַּלּוּיֵי מִילְּתָא בְּעָלְמָא הוּא.

teaches us that **since he stood in judgment, his properties became encumbered** to Hekdesh already during his lifetime, **and the assessment** performed after his death **is merely revealing the matter** of what the proper value is, which can be done even after he dies.

מִשְׁנָה MISHNAH

MISHNAH

מַתְנִי׳ ״שׁוֹר זֶה עוֹלָה״, וּ״בַיִת זֶה קָרְבָּן״, וּמֵת הַשּׁוֹר וְנָפַל הַבַּיִת — פָּטוּר מִלְּשַׁלֵּם.

MISHNAH: If one says, **"This bull is** consecrated as **a burnt-offering," or** if he says, **"This house is** consecrated as **an offering," and the bull died or the house collapsed, he is exempt from paying** its value to make it up, because he only accepted the specific item itself.

MISHNAH

״שׁוֹר זֶה עָלַי עוֹלָה״, וּ״בַיִת זֶה עָלַי קָרְבָּן״, מֵת הַשּׁוֹר וְנָפַל הַבַּיִת — חַיָּיב לְשַׁלֵּם.

However, if he says, **"It is upon me** to bring **this bull as a burnt-offering," or** if he says, **"It is upon me** to give **this house as an offering,"** and **the bull died or the house collapsed, he is obligated to pay** its value, because by adding the words "upon me" he accepted personal responsibility.

גְּמָרָא GEMARA

STATEMENT

גְּמָ׳ אָמַר רַבִּי חִיָּיא בַּר רַב: לֹא שָׁנוּ אֶלָּא דְּאָמַר ״דְּמֵי שׁוֹר זֶה עָלַי עוֹלָה״,

GEMARA: Rabbi Chiyya bar Rav says: The Tanna of our Mishnah **taught** that he is responsible **only where he said, "The monetary value of this bull is upon me** to bring as **a burnt-offering,"**

STATEMENT

אֲבָל אָמַר ״שׁוֹר זֶה עָלַי עוֹלָה״, כֵּיוָן דְּאָמַר ״זֶה״ וָמֵת — אֵינוֹ חַיָּיב בְּאַחֲרָיוּתוֹ, ״עָלַי לַהֲבִיאוֹ״ קָאָמַר.

but if he said, "This bull is upon me as **a burnt-offering," since he said "this" and it died, he is not responsible for its replacement;** for when he added **"upon me," he was saying** merely, **"it is upon me to bring it"** to the Beis HaMikdash, not accepting responsibility for its value.

OBJECTION

מֵיתִיבִי: שׁוֹר זֶה עוֹלָה — הַשּׁוֹר הֶקְדֵּשׁ וּמוּעָלִין בּוֹ, מֵת אוֹ נִגְנַב — אֵינוֹ חַיָּיב בְּאַחֲרָיוּתוֹ.

The Gemara **raises an objection** from a Braisa: If one says, **"This bull is a burnt-offering," the bull** itself **is Hekdesh and** one who derives benefit from **it is liable for me'ilah; if it dies or is stolen, he is not responsible for its replacement.**

OBJECTION

״שׁוֹר זֶה עָלַי עוֹלָה״ — הַשּׁוֹר הֶקְדֵּשׁ וּמוּעָלִין בּוֹ, מֵת אוֹ נִגְנַב — חַיָּיב בְּאַחֲרָיוּתוֹ.

If he says, **"This bull is upon me as a burnt-offering," the bull is Hekdesh and** one who derives benefit from **it is liable for me'ilah; if it dies or is stolen, he is responsible for its replacement.** This contradicts Rabbi Chiyya bar Rav, who said that saying "this bull is upon me" does not obligate him if it dies!

ANSWER

מִי אַלְימָא מִמַּתְנִיתִין, דְּאוֹקֵימְנָא דְּקָאָמַר ״דְּמֵי״? הָכָא נָמֵי דְּקָאָמַר ״דְּמֵי״.

The Gemara answers: **Is** this Braisa **stronger than our Mishnah, which we established** as dealing with a case **where he says "the monetary value"? Here too** in the Braisa, it is a case **where he says "the monetary value."**

QUESTION

וְהָא מִדְּסֵיפָא דְּקָאָמַר ״דְּמֵי״, רֵישָׁא דְּלָא קָאָמַר ״דְּמֵי״!

The Gemara asks: **But from the fact that the latter clause** of that Braisa explicitly **speaks of where he says "the monetary value,"** doesn't that imply that **the first clause** of the Braisa is dealing with a case **where he did not say "the monetary value"?**

QUESTION

דְּקָתָנֵי סֵיפָא: דְּמֵי שׁוֹר עוֹלָה — הַשּׁוֹר חוּלִּין וְאֵין מוֹעֲלִין בּוֹ, מֵת אוֹ נִגְנַב — אֵינוֹ חַיָּיב בְּאַחֲרָיוּתוֹ, אֲבָל חַיָּיב בְּאַחֲרָיוּת דָּמָיו!

For the latter clause teaches: If one says, "The **monetary value of** this **bull** is upon me as **a burnt-offering," the bull** itself remains **non-sacred and** one who derives benefit from **it is not liable for me'ilah; if it dies or is stolen, he is not responsible for its replacement, but he is responsible for the replacement of its monetary value!**

RESOLUTION

רֵישָׁא וְסֵיפָא דְּקָאָמַר ״דְּמֵי״, רֵישָׁא דְּאָמַר: ״יִקְדַּשׁ הַשּׁוֹר לְדָמָיו״, וְסֵיפָא דְּקָאָמַר: ״לִכְשֶׁיָּבֹאוּ דָּמָיו יִקְדְּשׁוּ״.

The Gemara answers: Both **the first clause and the latter clause are where he said "the monetary value";** the difference is that in **the first clause he said, "Let the bull be consecrated for its monetary value,"** so the animal itself becomes Hekdesh, **and in the latter clause he said, "When its monetary value comes** upon selling the animal, that money **shall become consecrated."**

QUESTION

וְהָא אֵין אָדָם מַקְדִּישׁ דָּבָר שֶׁלֹּא בָּא לָעוֹלָם?

The Gemara asks: **But** how can the money become holy when sold? **Can a person consecrate something that has not yet come into the world?** The proceeds of a future sale do not yet exist!

ANSWER

אָמַר רַב יְהוּדָה אָמַר רַב: הָא מַנִּי? רַבִּי מֵאִיר הִיא, דְּאָמַר: אָדָם מַקְדִּישׁ דָּבָר שֶׁלֹּא בָּא לָעוֹלָם.

Rav Yehudah said in the name of Rav: Whose opinion is this Braisa? **It is Rabbi Meir, who said: A person can consecrate something that has not yet come into the world.**

QUESTION

אִיכָּא דְּאָמְרִי, אָמַר לֵיהּ רַב פָּפָּא לְאַבָּיֵי, וְאָמְרִי לַהּ רָמֵי בַּר חָמָא לְרַב חִסְדָּא: כְּמַאן? כְּרַבִּי מֵאִיר, דְּאָמַר: אָדָם מַקְדִּישׁ דָּבָר שֶׁלֹּא בָּא לָעוֹלָם?

There are those who say this conversation as a question: **Rav Pappa said to Abaye—and some say Rami bar Hama said to Rav Chisda: Like whom** is this ruling? Is it **like Rabbi Meir, who said: A person can consecrate something that has not yet come into the world?**

ANSWER

אֲמַר לֵיהּ: וְאֶלָּא כְּמַאן?

He said to him: But like whom else could it be? It must be Rabbi Meir!

BRAISA

וְאִיכָּא דְּמַתְנֵי לַהּ אַהָא, הַמַּשְׁכִּיר בַּיִת לַחֲבֵרוֹ וְנִתְנַגַּע, אַף עַל פִּי שֶׁחֲלָטוֹ כֹּהֵן, אוֹמֵר לוֹ: ״הֲרֵי שֶׁלְּךָ לְפָנֶיךָ״, נִתָּצוֹ — חַיָּיב לְהַעֲמִיד לוֹ בַּיִת.

And there are those who teach this exchange **on this** following Braisa: If **one rents a house to his friend and it became afflicted with leprosy, even though the Kohen certified it** as definitively impure, the landlord **says to him, "That which is yours is before you,"** and he does not have to provide another house as long as it stands; but once the Kohen **dismantled it, he is obligated to provide him** another **house.** And on this statement, the Gemara discussed whether it follows Rabbi Meir.

SUMMARY

The Mishnah and Gemara contrast the unique chumros of Erechin versus general Nedarim of market value. While Erechin can only apply to humans and incorporates the sliding scale of heseg yad (affordability), Erechin is stricter in that if the vower dies after making the pledge, the heirs remain obligated to pay. In contrast, for demachin, if the subject dies before standing in judgment and being assessed, the heirs are exempt because there is no market value for a deceased person. Additionally, the Gemara explains that an Erech debt can be collected from heirs because either it is considered a loan written explicitly in the Torah or because the case speaks of where he already stood in judgment before Beis Din during his lifetime.

לְמַעֲשֶׂה WHAT TO TAKE HOME

Look at the fundamental difference the Gemara brings between Erechin and Nedarim. By a nedar, a person pledges his actual market value, his damim. If he dies before being evaluated, the heirs pay nothing because "ain damim l'maitim", a dead person has no value in the marketplace. But by Erechin, the Torah sets a fixed value based on age and gender. Even if he dies before going to bais din, his neshama's inherent standing before Hashem is already set and established in the Torah itself. It never disappears.

In our daily lives, we spend so much time worrying about our "market value." We measure ourselves by how successful we look to others, how productive we were today, or how much respect we earned in the bais medrash or the office. That is the world of damim, fluid, fluctuating, and easily lost. But the Torah is mechadesh that every Yid has an Erech, an intrinsic, holy worth that Hashem Himself defined. Your value to Hashem doesn't drop when you have a hard day, when a nisayon knocks you down, or when you feel completely unproductive.

Today, when you feel discouraged by your external results or feel like your "market value" took a hit, pause for a moment and remember your Erech. Say to yourself: My worth isn't built on today's successes or failures; Hashem created my neshama with an immutable, holy value that is always whole.