

## – (גיליון<sup>1</sup>) להלכותיהן

## For their laws

### OVERVIEW

The גמרא explains the reason the תורה writes all the אבות (even though we could have derived them from a השוה צד) is to teach us the various laws, which apply to each אב specifically. תוספות offers an alternate (but similar) solution why it was necessary for the תורה to write all the אבות.

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הוה מצי למימר דכולהו איצטריך למיכתב -

The גמרא could have answered that it was necessary for the תורה to write all the אבות (even though we could have derived them from a השוה צד) -

דאי לא כתיב אלא הוה נפקא מחד מהנך ובור הוה פטרי בהו כלים<sup>2</sup> -

For if the אבות would not be written in the תורה, but would rather have been derived through a השוה צד from one of the אבות and בור, we would need to exempt the derived אבות from paying for damaged כלים, just as בור is פטור for כלים -

ואי יליף מחד מהנך ומאש<sup>3</sup> הוה פטרי בהו טמון) -

And if we would derive the אבות from one of the אבות and אש, the derived אבות would be exempt from paying for טמון; just as אש is פטור for טמון).

צד anticipates the following question; since we can derive (many of) the אבות through a השוה, why does our משנה state the various הרי לא, which gives the impression that the אבות cannot be derived from each other. תוספות responds:

ומתניתין לא קתני אלא<sup>4</sup> להגדיל תורה ויאדיר:

And our משנה did not state the various הרי לא (to indicate that the אבות cannot be derived from each other); but rather to make the תורה great and glorious.

### SUMMARY

The גמרא could have explained the reason for mentioning all the אבות in the תורה is that we should not exempt the derived אבות from כלים (or טמון). The משנה

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<sup>1</sup> The מהרש"א considers the entire תוספות (till 'ומתני' as a marginal addendum and omits it from the text. See הארוך.

<sup>2</sup> When something is derived though a השוה צד, it is limited to the restrictions of (all the parties which comprise) the השוה. See משורו and 'Thinking it over' # 3 (there).

<sup>3</sup> The מהרש"א explains that תוספות is anticipating the following question. Perhaps the reason the גמרא did not say הוה, is because we can derive the אבות (besides בור) from מאש וחד מהנך. תוספות responds that the גמרא could have then said, ועיי"ש, הוה פטור בהו טמון.

<sup>4</sup> The משנה teaches us various חומרות וקולות of the אבות, so that we could not have derived certain אבות from certain other אבות, etc.

mentioned the לא הרי in order ויאדיר להגדיל תורה.

### **THINKING IT OVER**

Is there any advantage in תוספות explanation over the גמרא's explanation?