

דאמר מר אין לך דבר כולי – For the master said, there is nothing, etc.

OVERVIEW

רבא asked that we cannot fault the עדים for signing falsely under duress (of the loss of life) for יוחנן ר' states that only in three instances must one forfeit his life to avoid transgressing an עבירה. It would seem that רבא agrees to this ruling.¹ תוספות points out that it is not necessarily so¹.

פירוש² אפילו למאן דמחמיר לא מחמיר אלא בהנך –

The explanation in citing this ruling is to be understood as follows; **even according to the more stringent** view in these matters, **he is not stringent** concerning all commandments (that one must give up his life so as not to transgress any commandment), **but rather only in these** commandments of ע"ז ג"ע. מוסר נפש is one obligated to be ושפ"ד.

תוספות explains why we must interpret the citation in this manner, and not simply that רבא is citing a ruling (להלכה):

דרבא גופיה קסבר דאפילו בהני אינו חייב למסור עצמו בצינעא -

for רבא himself maintains that even by these עבירות, **one is not obligated to give up his life** if it is done **privately** as רבא states it –

במסכת עבודה זרה בפרק רבי ישמעאל (דף נד,א ושם) ואין חילוק בין הנך³ לשאר -

in מסכת ע"ז in פרק ר"י, and according to רבא there is no difference between these three to the rest of the מצות; in private there is never an obligation for מסירת נפש –

ובפרהסיא⁴ בכולהו יהרג ולא יעבור:

And in public, by all מצות one should rather allow himself **to be killed and not transgress** any מצוה. Therefore when רבא is citing this statement it cannot be להלכה; but rather he is saying even the strictest opinion does not require יהרג ואל יעבר for signing falsely on a שטר.

¹ See, however, תוספות ע"ז נד,א ד"ה הא.

² The term 'פירוש' (or 'כלומר') in תוספות (or 'רש"י') [usually] denotes a departing from the simple understanding of the text; namely that רבא agrees to this ruling.

³ From the simple reading of תוספות it appears that according to רבא the rule is יהרג ואל יעבר (even) by שפיכת דמים. However, elsewhere (פסחים כה,ב) we find that רבא rules regarding שפיכת דמים that יהרג ואל יעבר, giving the reason of וצ"ב. פרהסיא as well as בצנעא as well as to a case of דמא דידך סומק טפי.

⁴ תוספות is explaining that we cannot say that when רבא states this אמר מר that ע"ז וכו' אלא ע"ז וכו' he is discussing a case of פרהסיא for then the ruling is that יהרג ואל יעבור by all the מצות; not only these three. See 'Thinking it over'.

SUMMARY

There is a dispute whether the three עבירות are singled out for יהרג ואל יעבר even יהרג ואל יעבר בצנעא (ר"י), or whether all עבירות are the same; there is no יעבר בצנעא only if it is בפרהסיא (רבא).

THINKING IT OVER

If רבא maintains that בפרהסיא, the rule is יהרג ואל יעבר by all עבירות,⁵ then what is his question; perhaps they were forced to sign the שטר בפרהסיא?⁶

⁵ See footnote # 4.

⁶ See מהרש"א.