

תנם לפלוני אינה מקודשת – **Give it to him; she is not** מקודשת

OVERVIEW

The גמרא cites two sections of a ברייתא with three cases. The first section discusses the two cases of אבא ואביך; if she merely said give it to them, she is not מקודשת, however if she said they should receive it for me, then she is מקודשת. The second section is the same as the first except she said to give it 'לפלוני'. The גמרא first explained why in the first section it was necessary to mention both אבא ואביך¹, and then explains why it was necessary to have both sections.² Our תוספות discusses why all three cases are necessary

תוספות asks:

ואם תאמר אמאי קתני לעיל בברייתא אביך –

And if you will say; why does the previous ברייתא mention 'your father' - לאבא ולפלוני סגיא ואיכא למיעבד כל הני צריכותא³ –

It would have been sufficient to mention only 'to my father and to him', for then we would be able to derive the required ruling for all these cases.

תוספות answers:

– ושמה יש לומר דאין לחוש לכך כיון דלא תנא אביך בברייתא לחודיה⁴ –

And perhaps one can say; that this is nothing to be concerned about, since אביך was not taught in a ברייתא by itself, rather it was mentioned together with אבא.

¹ If it would have just said 'my father should accept it for me', I would not be certain that if she said 'your father should accept it for me' that she would be מקודשת. If it would just say 'your father', I would not be certain that when she just said 'give it to my father' that she is not מקודשת.

² If only the section of אבא ואביך was taught I would not know that by ע"מ שיקבלם פלוני that she would be מקודשת, and if only the section of פלוני was taught I would not know that אבא ולאביך is not מקודשת.

³ I would know both rulings (תנם and ע"מ שיקבלם) by אבא ופלוני for they will be stated explicitly. I would also know both rulings by אביך (even if it is not stated at all). I will know that if she said תנם לאביך that she is not מקודשת, for if when she said תנם לאבא (whom she certainly trusts), she is not מקודשת then certainly תנם לאביך will not be מקודשת. I will also know that if she said תנם לאביך ע"מ שיקבלם לי that she is מקודשת. For if by תנם לאביך ע"מ וכו' (whom she does not trust that much) she is מקודשת, then by תנם לאביך ע"מ וכו' (whom she trusts more) she is certainly מקודשת. [See however the second answer of תוספות.]

⁴ We can and do discuss why אבא and אביך are mentioned in one section if one alone would suffice. There is no reason to mention two instances in one section of a ברייתא if one can be derived from the other. Once it is established however that (in this section) both (אבא ואביך) are necessary, then there is no (great) concern why אביך is mentioned in this section, if it can be derived from the other section of פלוני. This is not such a powerful question since the section where it is stated (לאבא ולאביך) is needed to be written in order to teach us the rule of לאבא (which could not be derived from the section of פלוני). See also נה"מ.

offers an alternate answer:

אי נמי יש לומר דלהכי תנא אביך ופלוני⁵ –

Or one may also say; that the reason the ברייתא taught אביך and פלוני is - משום דסלקא דעתך דליהוי מקודשת טפי כשאמרה תנם לפלוני –

Because we may have thought (if it would not state אביך) that there is more reason that she should be מקודשת when she said ע"מ תנם לפלוני - שיקבלום

מכשאמרה תנם לאביך דסמכה דעתה טפי כשיהא ביד פלוני⁶:

Than when she said ע"מ שיקבלום תנם לאביך, for she is more trustful when a stranger is in possession of the money than when his father is holding the money. Therefore if the ברייתא would not have taught us ע"מ שיקבלום we would have thought that by (אבא and) פלוני she is not מקודשת, but by אביך she is not מקודשת.

SUMMARY

The details in one section of a ברייתא relative to each other should not be superfluous; however, relative to other sections of the ברייתא, the details are irrelevant as long as the sections as a whole are not superfluous. People may trust (certain) strangers more than their (prospective) in-laws.

THINKING IT OVER

1. How can תוספות assume (in the second answer) that she is סומך דעת on פלוני more than on אבא, when the גמרא clearly states that by אבא and אביך there is more דעת סמכה עלייהו סברה עבדין לי (the גמרא states פלוני) than on אבא? (שליחותאי אבל פלוני לא⁷)?

2. What are the relative advantages of each of תוספות answers?

⁵ תוספות is answering that even if it says that by שיקבלום ע"מ she is מקודשת, nevertheless it is necessary to teach be this very ruling by שיקבלום ע"מ אביך.

⁶ She may be more embarrassed to ask for the money from his father than she would be from a פלוני. See 'Thinking it over' # 1.

⁷ See אמ"ה footnote # 329.