

## ואפילו הכי לא עבד שמואל עובדא בנפשיה –

**And nevertheless, שמואל did not practice this ruling for himself**

### OVERVIEW

The גמרא states that שמואל learnt from רב forty times the ruling that אם נתנה אמתלא לדבריה נאמנת, and nevertheless שמואל was reluctant to follow this leniency for himself. תוספות cites an actual example where this issue was relevant to שמואל personally.

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רבינו חננאל הביא ירושלמי<sup>1</sup> שמואל בעא לאזדקוקי לאתתיה -

The ר"ח cited a גמרא in תלמוד ירושלמי which states; שמואל wanted to have relations with his wife -

אמרה ליה טמאה<sup>2</sup> אני ולמחר אמרה טהורה אני -

She said to him, 'I am טמאה', and on the morrow she said, 'I am טהורה' -  
אמר לה אתמול טמאה יומא דין טהורה<sup>3</sup> -

שמואל said to her, 'yesterday you were טמאה, and this day you are טהורה'!  
אמרה ליה אתמול לא הוות בי חילא כי ההיא<sup>4</sup> שעתא -

She replied, 'yesterday I had no strength at that time'. שמואל -

אתא שאיל לרב אמר ליה אם נתנה אמתלא לדבריה נאמנת:<sup>5</sup>  
רב answered him, 'if she is permitted to him today). (if she is permitted to him today). רב answered him, 'if she provided an אמתלא to her statement, she is believed', and therefore she is permitted to שמואל.<sup>6</sup>

### SUMMARY

אם שמואל consulted with רב concerning a personal issue, and רב ruled that נתנה אמתלא לדבריה נאמנת.

<sup>1</sup> ואם נתנה אמתלא לדבריה. In our text on יג,א, דף יג,א. The ירושלמי cites this story as an example of 'ואם נתנה אמתלא לדבריה נאמנת'. It would seem therefore that תוספות intent of citing this ירושלמי is to question our גמרא's contention that 'לא עבד שמואל עובדא בנפשיה'. See (however) footnote # 5 & 6.

<sup>2</sup> It would seem that she meant, 'I became a נדה today'. See: 'Thinking it over'.

<sup>3</sup> There is a requirement to wait (at least) seven days to become טהורה. Or perhaps when she said אני טהורה she meant that she was never a נדה.

<sup>4</sup> The גירסא in our ירושלמי is היי שעתא (not ההיא).

<sup>5</sup> If this is the case where we are to assume that שמואל לא עבד עובדא בנפשיה (see footnote # 1), perhaps the reason he did not accept her אמתלא (even though רב ruled that נאמנת רב) is because שמואל assumed that it was an unconvincing אמתלא, since she could have told him outright בי חילא, instead of stating אני טמאה.

<sup>6</sup> See רבה אליהו who maintains that this תוספות is a continuation from the previous תוספות, to explain how רב knew that שמואל was asking whether an אמתלא is sufficient (and not if it is necessary). It is now evident from this story, where she gave an אמתלא, and nevertheless שמואל inquired whether it is sufficient. עיי"ש עוד.

### **THINKING IT OVER**

What would be the conduct of שמואל (who was עובדא בנפשיה), if she initially claimed, 'I am טמאה on account of a (long) past נדות', and subsequently claimed (with a proper אמתלא), 'I was not a נדה', in a case where she has a מגו and could have claimed טבלתי?<sup>7</sup>

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<sup>7</sup> See מהר"ם שי"ף.