

DAF YOMI SUMMARY

פרשת ואתחנן
שבת קלט - קמה

OUR SHEET IS DEDICATED TO THE REFUAH
SHLEIMAH OF ALL THOSE INFECTED BY THE CORONAVIRUS.
MAY HASHEM KEEP EVERYONE STAYING AT HOME, SAFE AND WELL!

SHABBAT SHALOM!!

TZEDEK UMISHPAT

THANKS TO RABBI GUY DVIR (EXECUTIVE SMICHA PROGRAM - RAANANA)

Daf 139a Rabbi Yosei ben Elisha says: "If you see a generation that many troubles are befalling it, go and examine the judges of Israel." The Gemara suggests that the primary cause for the downfall of Jerusalem was its corrupt judges and leaders who detested justice. Their evil ways penetrated into the entire Jewish society and led to its ultimate demise.

Having said this, we would expect the tikkun (rectification) of Jerusalem to be justice. However, Ulla said, "Jerusalem will be redeemed only through righteousness, as it is stated: 'Zion will be redeemed with justice and those who return to her with righteousness'" (Isaiah 1:27).

Ulla identifies the remedy as Tzedaka (righteousness or charity) rather than Mishpat (justice). This idea is also reflected at the conclusion of the Amida blessing speaking about the restoration of the judges to Jerusalem; מלך אוהב צדקה ומשפט.

This raises the following question: Tzedaka and Mishpat usually mean opposite things - Tzedaka refers to giving someone out of mercy, not because entitlement, whereas Mishpat refers to giving someone what he rightly deserves. How do these two concepts come together?

Contrary to popular belief, the word Tzedaka does not mean giving something that one is not obliged to give. The word Tzedaka comes from the root Tzedek, which means justice. Tzedaka is the recognition that our money was given to us by Hashem and that we are only the trustees, not the owners. We must give to whoever is in need since this is why Hashem gave it to us. In other words, we justify our money when we use it correctly.

On the other hand, Mishpat is not a value but only a manifestation of Tzedek (justice). If the judges lack the proper value of justice, they can't exercise it either. This is why Tzedaka must precede Mishpat. Only after having acquired the value of Tzedaka can there be true Mishpat (justice).

שבת קלט (Thursday 23 July)
Thanks to Hadran

Daf 139 begins with a critique of iniquitous judges and ascribes tragedies which befall Israel to their pathetic behaviour. Mar Zutra describes how some judges even engage Torah scholars to prepare their speeches for them so that they can impress the public.

The Daf continues with a story in which the people of Bashkar ask

for halachic guidance in three areas, one of which is connected to the central topic of the page which is the erecting of canopies on Shabbat. When Rav Menashya responds that he cannot permit building a canopy, the Gemara wonders why he doesn't rely on the leniency of Rami bar Yehezkel. The Gemara suggests that perhaps Rav Menashya did not think it appropriate to share that leniency because the people of Bashkar "אינן בני תורה" - they are not well-versed in Torah.

In a similar fashion, Rav Menashya does not want to allow the mixing of hops in a vineyard or permit burying someone who dies on Chag. In the next discussion, the Gemara shares several instances of how to engage in a subterfuge of the halacha so as to do an act that might otherwise be forbidden.

For example, the Gemara relates that if one uses a strainer first to store pomegranates (which is definitely not forbidden on Shabbat), then one may subsequently use the strainer to dilute wine, an act which might not be permitted on Shabbat. This idea of הערמה, trickery, is repeated in several other cases as the Rabbis seek to find leniencies.

It seems that there may be a theme that runs through these seemingly disconnected sugyot: Torah study can be enabling, but only if practiced in a disciplined manner. If the first story tells of incompetent leadership, and the next stories (of Bakshar) tell of whole communities incapable of accepting lenient solutions, the last story explains the pragmatic application of Torah law when applied carefully.

Perhaps the Gemara is emphasizing the critical importance of the acquisition of Torah knowledge and the ability to learn and assess situations independently, whilst still within the parameters of halacha.

"IF YOU SEE A GENERATION UPON WHICH MANY TROUBLES COME, GO AND EXAMINE THE DEEDS OF THE JUDGES OF ISRAEL..."
- R' Yosi ben Elisha

"HASHEM BRINGS THREE PUNISHMENTS ONTO JUDGES WHO TAKE MONEY FOR THEIR SERVICES..."

"HASHEM WILL NOT REST HIS SHECHINA ON THE JEWISH PEOPLE UNTIL CORRUPT JUDGES AND OFFICERS CEASE FROM THE NATION..."

"IF CORRUPT JUDGES DISAPPEAR, THE GAZIRPATEI DISAPPEAR!"
- R' Pappa

"WHAT IS MEANT BY 'HASHEM HAS BROKEN THE STAFF OF THE WICKED?' THESE ARE THE JUDGES WHO BECOME A STICK IN THE HANDS OF THEIR OFFICERS..."
- R' Mallai in the name of R' Elazar

"WHAT IS MEANT BY 'FOR YOUR HANDS ARE SULLIED WITH BLOOD?' THESE ARE CORRUPT JUDGES!"
- R' Mallai in the name of R' Elazar

STYLE-A-DAF by RABBI NATAN FARBER | SHABBOS 139

ברכות (63) Jan 5 2020	שבת (156) Mar 8 2020	עירובין (104) Aug 11 2020	פסחים (120) Nov 23 2020	שקלים (21) Mar 23 2021	יומא (87) Apr 13 2021	סוכה (65) Jul 9 2021	ביצה (39) Sep 2 2021	ראש השנה (34) Oct 11 2021	תענית (30) Nov 14 2021	מגילה (31) Dec 14 2021	חגיגה (26) Feb 11 2022	יבמות (121) Mar 9 2022	כתובות (111) Jul 8 2022	נדרים (90) Oct 27 2022	נזיר (65) Jan 25 2023	סוטה (48) Mar 31 2023	גיטין (89) May 18 2023	קידושין (81) Aug 15 2023	בבא קמא (118) Nov 4 2023	בבא מציעא (118) Mar 1 2024	בבא בתרא (175) Jun 27 2024	סנהדרין (112) Dec 19 2024	מכות (23) Apr 10 2025	שבועות (48) May 3 2025	עבודה זרה (75) Jun 20 2025	הוריות (13) Sep 3 2025	זבחים (119) Sep 16 2025	מכות (109) Jan 13 2026	חולין (141) May 2 2026	בכורות (61) Sep 20 2026	ערכין (33) Nov 19 2026	תמורה (33) Dec 26 2026	כריתות (27) Jan 24 2027	מעילה (36) Feb 20 2027	גיטין (72) Mar 28	SIYUM HASHAS Jun 7 2027
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שבת קמ (Shabbat 25 July)

Thanks to Josh Samad

Taking Antibiotics on Shabbat The Gemara tells of Rav Acha bar Yosef, who became unwell and was advised by Mar Ukva to drink soaked Chiltis for three consecutive days to cure the illness.

He drank the medicinal solution on Thursday and Friday, then inquired whether he was permitted to soak the Chiltis and drink it on Shabbat. Rav Huna permitted him to prepare and ingest the soaked Chiltis; since he had already taken the medicine for two days, he would be in danger if he did not take the medicine on the third day as prescribed.

Had taking the medicine been a case of Pikuach Nefesh there would be no question that it would be permitted, therefore we must be talking about a case where there was no mortal danger in not taking the medicine, but doing so would have caused severe discomfort. Is the case in the Gemara comparable to the contemporary question of taking antibiotics on Shabbat, when the course had already started prior to Shabbat?

Rav Shlomo Zalman Auerbach permitted one to take antibiotics on Shabbat although it cannot be compared to the case of our Gemara. Here, Rav Acha bar Yosef would have become more ill had he not taken the medicine on Shabbat, whereas one who misses a day of antibiotics will not necessarily become more ill, he just will not be cured as fast.

As taking antibiotics is not directly comparable to the case in our Gemara, Rav Moshe Feinstein is more machmir and forbids taking them, unless not doing so would cause immense emotional stress, in which case it would be permitted.

שבת קמא (Friday 24 July)

With thanks

On Daf 141 we have a number of rulings from R' Yehuda. One of the rulings mentioned is that one who got wet from entering a river should dry themselves before walking so as not to carry the water on their body for 4 amot in a karmelis.

The Rosh asks, if this is the case, why did the Chachamim not prohibit people from walking outside in the rain on Shabbat as they will inevitably carry the rain drops that fall on them and their clothing?

He answers by saying that generally, when walking in the rain one doesn't get too much rain water on them so it is ok. This is also quoted by the Shulchan Aruch (siman 326) who adds that people aren't makpid on this small amount of water.

The Taz queries this and says there will be instances when someone caught in the rain could have considerable amounts of water on them. The Taz suggests that the fundamental difference is that getting caught in the rain whilst walking is largely out of one's control, whilst choosing to enter a river or mikveh is entirely a conscious decision. In addition, the Har Tzvi (Reb Tzvi Pesach Franck z"l) says water on the clothing is bottel to the clothes and is generally

absorbed into the clothing whereas when someone emerges from a river, there is considerably more water and it is not considered bottel when on the body.

שבת קמב (Sunday 26 July)

Thanks to Jonathan Gellis

At the end of Amud Bet the Gemara returns to what we were discussing on Daf 30 - the concept of moving an object that is allowed but has a muktzeh item on it, and combines that concept with the idea of "shinuy". The Gemara describes how to move a barrel of wine by tilting the barrel until the rock, which is muktzeh, falls off. It further describes how to treat other objects like money left on a pillow etc.

The view here is that we are usually rushing into Shabbat no matter what time of year, and we have a tendency to overlook certain items as we prepare. Here, the Gemara shows more about the Rabbis deep understanding of human nature, and gives Psak Halacha based on our nature. Shabbat is meant to be the most enjoyable and restful day of the week; we are meant to enjoy Shabbat with our entire body and soul.

Rav Shimon ben Gamliel tells us that if we forgot to move something muktzeh and it will take away from our Shabbat experience, this is how to handle it. Rav Yosef reminds us that these rules only apply bedieved, and we should not make a habit of moving muktzeh items in this way, and Rav Ashi still holds that the only time we may use a child or a loaf of bread to move a muktzeh item is Li'chvod Hamet (as in Daf 30).

However, the overall opinion here is that to increase one's love of Shabbat we may do certain things to enhance our physical and spiritual enjoyment of Shabbat. That is what this day is all about.

שבת קמג (Monday 27 July)

Thanks to Alex Feidler

The Gemara on Daf 143 continues discussing muktzah. I'd like to discuss one halacha derived from these muktzah topics: Carrying a muktzah item with a permitted item.

The Gemara explains that date pits that are bereft of fruit are muktzah and cannot be moved on Shabbos. We learn several creative ways in which chazal would dispose of the pits, including stacking them up to appear like a pile of refuse, spitting them behind a couch, among others. (I guess the mess we might make as a Shabbos guest might not be so bad after all!)

We learn that Shmuel would remove the date pits by placing them on top of a permitted item, bread, thereby allowing him to indirectly carry the date pits. This is difficult to understand considering we learned on Daf 142b that several Amoraim ruled that carrying muktzah items on permitted items is not permitted.

Tosfos answers that we have to make a distinction between muktzah that existed before Shabbos and muktzah that came into being (nolad) on Shabbos, the former being asur, the latter mutar. In our case, the muktzah item counts on nolad and is therefore

permitted to be carried on a non-muktzah item.

The Rosh clarifies things a bit for us. He explains that we can only carry a pit on top of bread (a muktzah item on top of a non-muktzah item) when the muktzah item is not really muktzah, rather, we just want to be machmir. In our case, the Rosh rules like Rebbe Shimon that nolad is mutar, therefore Shmuel, because he was a prominent Rav, was simply being machmir by carrying the date pits on top of the bread.

In fact, the Shulchan Aruch and the Mishnah Berurah explain that a prominent Torah personality is required to be machmir (like Shmuel), so that people like myself won't mistakenly think that it is mutar to carry similar muktzah items.

When becoming religious, one of the first poskim I had was the good old, "Well I saw so-and-so do something". I've since learned that this is not the proper way to learn halacha, but if the Shulchan Aruch and Mishna Berurah posken that prominent personalities must be machmir so that simple folk don't make incorrect inferences from their actions, we should condition ourselves to not assume halacha, but make sure we're in constant contact with our rebbeim and ask questions.... lots of questions!

שבת קמ"ד (Tuesday 28 July)

Thanks to David Gross

This daf contains the sugya of סחיטה which is a sub-category of דש. The Gemara explores which fruits we are forbidden to squeeze for their juice, and what the mode of prohibition is.

Specifically, to squeeze grapes for their wine or olives for their oil would be a Torah prohibition, while squeezing other fruits such as berries would only be Rabbinically prohibited. When one examines the halachic literature that stems from the daf one encounters the following parameters:

- There is no difference if the squeezing is achieved by one's hand or with a specific tool.
- One may not squeeze liquid into an empty dish or into other liquid.
- This prohibition extends to squeezing lemon into tea.
- One may squeeze by hand onto food, as it is meant to be absorbed.
- One may squeeze grapes onto food on Yom Tov.

The Shulchan Aruch permits squeezing a lemon onto food on Shabbat. This היתר is based on the understanding that squeezing the lemon is for the purpose of improving the food and not for the sake of the liquid itself.

The Bircat Avraham explains that this is because the person's intention at the moment that they are squeezing the lemon renders the juice not as a beverage at all, but as part of the food it is going to be absorbed into.

שבת קמה (Wednesday 29 July)

Thanks to Dr Yardeena Osband - Talking Talmud Podcast

The end of this Daf describes a conversation that takes place between Rabbi Hiyya bar Abba and Rabbi Asi in front of Rabbi Yochanon while he was napping.

Rabbi Hiyya asks Rabbi Asi a series of three questions: Why are the fowl fatter in Bavel than Eretz Yisrael? Why are the holidays more joyous in Bavel than Eretz Yisrael? Why are Gentiles ethically different? Rabbi Asi easily provides explanations for each of Rabbi Hiyya's observations. Rabbi Yochanon, who must have been sleeping lightly, wakes up and scolds Rabbi Asi by quoting a verse from Mishlei: "Say to wisdom: 'You are my sister', and call understanding your kin" (Proverbs 7:4).

Meaning do not give an explanation to a question unless it is as clear to you that your sister is forbidden to you. Rabbi Yochanon then proceeds to offer a different explanation for each of the three questions posed by Rabbi Hiyya. It is interesting to see that Rabbi Yochanon finds all of his answers from different verses in Tanach and their interpretations.

This story illustrates that for Rabbi Yochanon all wisdom can be found in the Torah and should be based on Torah. We do not need to use our own reasoning or intuition to understand the world, rather we can look to the Torah to find the answers.

PINAT HALACHA

THANKS TO RAV DANI SCHREIBER

Question: This past Friday night, at the end of davening, someone asked me to recite "Vayechulu" together with him after shul. What was that about?

Answer: The Shulchan Aruch (Orach Chaim 268:7) explains there are two reasons for the practice of saying Vayechulu at the end of Friday night Maariv. First, we don't say Vayechulu as part of the Amidah on Friday night that is Yom Tov, so it was instituted that we should recite it separately in shul every Friday night.

Second, it's an opportunity for those who don't know to say it by themselves to say it with the tzibbur. It's meant to be recited standing, and in unison. The Mishna Berurah (19) explains that it is a form of testimony, which must always be done standing, and with at least 2 people (as 2 witnesses).

The Mishna Berurah does mention that it's not clear that someone who missed saying Vayechulu with the rest of the tzibbur needs to say it again. Some, like the fellow who asked you, are meticulous to say it with another person, but it's not necessary halachically.