

11 Elul 5772  
August 29, 2012



Brachos Daf 28

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May the studying of the Daf Notes be a zechus for his neshamah and may his soul find peace in Gan Eden and be bound up in the Bond of life

## ***Maariv – Voluntary or Compulsory?***

The *Mishna* had stated: The evening prayer (*Maariv*) has no fixed time.

The *Gemora* asks: What is the meaning of “it has no fixed time”? If it means that if a man wishes, he can pray the *Tefillah* at any time during the night, then let the *Mishna* state explicitly: The time for the evening prayer is the entire night! Rather, what is the meaning of “it has no fixed time”? It is in accordance with the opinion that the evening prayer is optional. [*Tosfos explains that this does not mean that it is completely up to the person if he will pray Maariv or not, but rather, if there is a mitzvah that has a set time and not pray Maariv.*] For Rav Yehudah said in the name of Shmuel: With regard to the *Maariv* prayer, Rabban Gamliel says that it is compulsory, whereas Rabbi Yehoshua says that it is optional.

Abaye says: The *halachah* is as stated by the one who says that it is compulsory. Rava, however, says: The *halachah* follows the one who says that it is optional.

The *Gemora* cites a *braisa*: There was an incident that a certain student came before Rabbi Yehoshua and asked him: Is the *Maariv* prayer compulsory or optional? He replied: It is optional. He then came before Rabban Gamliel and asked him: Is the *Maariv* prayer compulsory or optional? He replied: It is compulsory. He said to him: But didn’t Rabbi Yehoshua tell me that it is optional? He said: Wait until the shield-bearers (*the Torah scholars, who “fight” each other in learning*) enter the study hall. When the shield-bearers came in, the questioner rose and inquired: Is the *Maariv* prayer optional or compulsory? Rabban Gamliel replied: It is compulsory. Rabban Gamliel said to the Sages: Is there anyone who disputes this?

Rabbi Yehoshua replied to him: No. Rabban Gamliel said to him: Did they not report to me in your name as saying that it is optional? He then continued: Yehoshua, stand up on your feet and let them testify against you! Rabbi Yehoshua stood up and said: Were I alive and he (*the questioner*) dead, the living could contradict the dead (*and I would be able to deny that which I said*), but now that he is alive and I am alive, how can the living contradict the living (*and therefore I must admit that I did rule that it is voluntary*)!

Rabban Gamliel remained sitting and expounding and Rabbi Yehoshua remained standing, until all the people there began to shout and say to Chutzpis the announcer (*the man who repeated the ideas of the teacher to the public*): Stop! And he stopped. They then said: How long will he (*Rabban Gamliel*) continue to go on distressing him? On *Rosh Hashanah* last year he distressed him [*The Mishna in Rosh Hashanah relates the following: Witnesses testified that they saw the moon in its appropriate time on the thirtieth but the facts are that on the night of the thirty-first, the moon was not visible at all. Rabban Gamliel accepted these witnesses, but Rabbi Dosa ruled that these are false witnesses. Rabbi Dosa compared this case to a case where witnesses testified that a woman gave birth to a child and the following day, she is seen indisputably pregnant. If the new moon cannot be seen now when it should be growing larger, it most certainly could not have been seen previously. Rabbi Yehoshua concurred with Rabbi Dosa that these are false witnesses. Rabban Gamliel, the Nasi, ordered Rabbi Yehoshua to come to him with his walking stick and money on the day that according to Rabbi Yehoshua’s calculation was Yom Kippur. Rabbi Akiva found Rabbi Yehoshua distressed over the situation that he would be compelled to desecrate Yom Kippur. Rabbi Akiva cited Scriptural proof that whatever the Beis din decrees regarding the new month has validity and therefore he*



should not be concerned. The day that Rabbi Yehoshua thought was Yom Kippur would in fact be the eleventh of Tishrei since the new month is dependent on Rabban Gamliel's declaration. Rabbi Dosa cited Scriptural proof to Rabbi Yehoshua that the ruling of Rabban Gamliel cannot be reconsidered. Rabbi Yehoshua came to Rabban Gamliel in Yavneh with his walking stick and his money. Rabban Gamliel stood up, kissed him on his forehead and told him "Come in peace my Rebbe and my student. You are my Rebbe in wisdom and my student that you accepted my words."; he distressed him in the matter of the firstborn in the incident of Rabbi Tzadok (where he had a firstborn animal with a blemish, which he testified happened unintentionally); now, he distresses him again! Come, let us depose him (from being the Nasi)!

[The Sages asked:] Whom shall we appoint instead? We cannot possibly appoint Rabbi Yehoshua, because he is directly involved (with the situation, and it would cause Rabban Gamliel excessive agony). We cannot appoint Rabbi Akiva, because perhaps Rabban Gamliel will bring punishment on him because he has no ancestral merit (to protect him, for his father was a convert). Let us rather appoint Rabbi Elozar ben Azaryah, who is wise, rich and the tenth in descent from Ezra. The Gemora explains these attributes: He is wise, so that if anyone asks him a question, he will be able to answer it. He is rich, so that if occasion arises for any dealing with the court of the Caesar, he will be able to go and do so. He is tenth in descent from Ezra, so that he has ancestral merit and he (Rabban Gamliel) will not be able to bring punishment on him.

They went and said to him (R' Elozar ben Azaryah): Will it be pleasing to the master to become head of the Academy? He replied: I will go and consult the members of my family. He went and consulted with his wife. She said to him: Perhaps they will depose you as well. He replied to her: [There is a popular folk saying:] Let a man use a precious cup of glass for one day even if it will be broken the next day. She said to him: You have no white hair (and it is befitting for a lecturer to have white hair). He was eighteen years old that day, and a miracle occurred with him and eighteen rows of hair (on his beard) turned white. That is why Rabbi Elozar ben Azaryah said: Behold I am like seventy years old, and he did not say that he is seventy years old.

It was taught in a braisa: On that day the doorkeeper (of the study hall) was removed and permission was given to all the students to enter, for Rabban Gamliel had issued a proclamation which said: Any student whose inside is not like his outside (his character is not sincere) may not enter the study hall. On that day, many benches were added. Rabbi Yochanan said: There is a difference of opinion on this matter between Abba Yosef ben Dostai and the Rabbis: one says that four hundred benches were added, and the other one said that it was seven hundred. Rabban Gamliel became disheartened and said: Perhaps, God forbid, I withheld Torah from Israel! He was shown in his dream white casks full of ashes (demonstrating that those who were kept out were in fact not genuine). This, however, the Gemora notes, really was not the case, for he was only shown this to appease him.

It was taught in a braisa: [Mishnayos] Eduyos was taught on that day, and wherever the expression 'on that day' is used, it refers to that day, and there was no halachah about which any uncertainty existed in the study hall which was not fully explained. Even Rabban Gamliel himself did not absent himself from the study hall a single moment, as we have learned in a Mishna: On that day Yehudah, an Ammonite convert, came before them in the study hall. He said to them: Am I permitted to enter the congregation (to marry a Jewish woman)? Rabban Gamliel said to him: You are forbidden to enter the congregation. Rabbi Yehoshua said to him: You are permitted to enter the congregation. Rabban Gamliel said to him (R' Yehoshua): Is it not already stated: An Ammonite or a Moabite shall not enter into the Congregation of Hashem? Rabbi Yehoshua replied to him: Do Ammon and Moab (their descendants) still reside in their original places? But Sancheiriv, king of Ashur, long ago went up and mixed up all the nations, as it is written: I have removed the boundaries of the peoples and have robbed their treasures and have brought down dwellers in strongholds, and whatever separates (from a group) is assumed to have separated from the larger section of the group (and therefore, they should not be treated as Ammonites)? Rabban Gamliel said to him: But has it not been said: But afterward I will bring back the captivity of the children of Ammon, the word of Hashem, so that they have already returned? Rabbi Yehoshua replied: And has it not been written: And I will return the captivity of My people Israel, and they have not yet returned? [Just as this prophesy was not yet fulfilled, but will be, so too, the prophesy regarding Ammon was not yet fulfilled,



but will be.] Immediately, they permitted him to enter the congregation.

Rabban Gamliel then said: This being the case, I will go and appease Rabbi Yehoshua. When he reached his house he saw that the walls were black. He said to him: From the walls of your house it is apparent that you are a smith (or a charcoal-burner). Rabbi Yehoshua replied: Woe for the generation of which you are the leader, seeing that you know nothing of the suffering of the scholars, their struggles to support and nourish themselves! Rabban Gamliel said to him: I have spoken against you; forgive me. Rabbi Yehoshua paid no attention to him. Do it, he said, out of respect for my father. He then was appeased.

They said: Who will go and tell the Rabbis (of the reconciliation)? A certain laundryman said to them: I will go. Rabbi Yehoshua sent a message to the study hall, saying: Let him who is accustomed to wear the robe (continue to) wear it; shall he who is not accustomed to wear the robe say to him who is accustomed to wear it, "Take off your robe and I will put it on"?

Rabbi Akiva said to the Rabbis: Lock the doors so that the servants of Rabban Gamliel should not come and hassle the Rabbis.

Rabbi Yehoshua said: I had better get up and go to them. He came and knocked at the door. He said to them: Let the sprinkler son of a sprinkler sprinkle; shall he who is neither a sprinkler nor the son of a sprinkler say to a sprinkler the son of a sprinkler, "Your water is cave water and your ashes are oven ashes? [A Kohen, son of a Kohen shall be the one to sprinkle the waters of purification. The reference is to Rabban Gamliel who had a hereditary claim to be the Nasi.] Rabbi Akiva said to him: Rabbi Yehoshua, you have been appeased; have we done anything except out of regard for your honor? Tomorrow morning, you and I will go to his door.

They said: What shall we do? Shall we depose him (R' Elozar ben Azaryah)? We have a rule that we may elevate something to a higher grade of sanctity, but must not degrade it to a lower one! If we let one master lecture during one week and one on the next, this will cause jealousy. Rather, let Rabban Gamliel lecture three weeks and Rabbi Elozar ben Azaryah one week.

And it is in reference to this that a master said: Whose week was it? It was the week of Rabbi Elozar ben Azaryah.

The *Gemora* concludes that the student (who asked the question which brought about this entire incident) was Rabbi Shimon ben Yochai. (27b – 28a)

## Mussaf

The *Mishna* had stated: the *Mussaf* Prayer may be recited the entire day.

Rabbi Yochanan said: And he (who prays *Mussaf* late in the day) is called negligent.

The *Gemora* cites a *braisa*: If a man had two prayers to say - one for *Mussaf*, and one for *Minchah*, he recites first the *Minchah* prayer and afterwards the *Mussaf* one, because this one (*Minchah*) is more frequent (since it is prayed daily), and this one (*Mussaf*), is not as frequent. Rabbi Yehudah, however, says: He recites the *Mussaf* one and afterwards the *Minchah* one, because the time for this one (*Mussaf*) soon lapses (for it can only be recited until seven hours into the day), while the time for this one (*Minchah*) does not so soon lapse (for one has until the half of *Minchah* to pray *Minchah*).

Rabbi Yochanan said: The *halachah* is that he prays the *Minchah* Prayer first and then the *Mussaf* one.

When Rabbi Zeira was tired from studying, he used to go and sit by the door of the school of Rabbi Nassan bar Tovi. He said to himself: When the Rabbis pass by, I will rise before them and earn a reward. Rabbi Nassan bar Tovi came out. He said to him: Who stated the *halachah* (like R' Yehudah) in the study hall? He replied: Rabbi Yochanan said: The *halachah* does not follow Rabbi Yehudah, who said that a man first prays the *Mussaf Tefillah* and then the *Minchah* one. He said to him: Did Rabbi Yochanan say that? He replied: Yes. He repeated it after him forty times. Rabbi Nassan bar Tovi said to him: Is this the one (and only) thing you have learned (from R' Yochanan; and that is why it is cherished by you), or is it a new thing to you (for you thought that someone else had said it)? He replied: It is a new thing to me, because I thought that perhaps it was from Rabbi Yehoshua ben Levi.



Rabbi Yehoshua ben Levi said: If one says the *Mussaf Tefillah* after seven hours according to Rabbi Yehudah, the Torah says of him: *Broken (nugei) because of the appointed time, I have destroyed, they are from you*. How do you know that the word '*nugei*' here implies breaking? It is as translated by Rav Yosef: *Breakage comes upon the enemies of Israel because they put off the appointed seasons in Yrushalayim*.

Rabbi Elozar said: If one prays the *Shacharis* Prayer after four hours according to Rabbi Yehudah, the Torah says of him: *Afflicted (nugei) because of the appointed time, I have destroyed, they are from you*. How do you know that the word '*nugei*' here implies affliction? Rav Nachman bar Yitzchak said that it is from here: *her maidens are afflicted (nugos) and she herself is embittered.*"

Rav Avya was once ill and did not go to hear the lecture of Rav Yosef. On the next day when he came, Abaye tried to appease Rav Yosef. He said to Rav Avya: Why did master not come to the lecture yesterday? He replied: I felt weak and was not able. He said to him: Why did you not taste some food and then come? He replied: Doesn't master hold with the ruling of Rav Huna? For Rav Huna said: It is forbidden for a man to taste anything until he has recited the *Mussaf* Prayer. He said to him: The master ought to have recited the *Mussaf* Prayer privately, and tasted something and then come. He replied: Doesn't master hold with the ruling of Rabbi Yochanan, who said that it is forbidden for a man to pray his *Tefillah* before the congregation prays theirs? Abaye said to him: Has it not been said in regard to this that this ruling refers to when he is with the congregation (*and that is when his prayer should not precede that of the congregation*)?

The *Gemora* issues a ruling: And the *halachah* is neither as stated by Rav Huna nor by Rabbi Yehoshua ben Levi. It is not as stated by Rav Huna, namely, in what we have just stated (and the *halachah* is that one may taste something before praying *Mussaf*). It is not as stated by Rabbi Yehoshua ben Levi, for Rabbi Yehoshua ben Levi said: When the time for the *Minchah* Prayer arrives, it is forbidden for a man to taste anything until he has recited the *Minchah* Prayer. (28a – 28b)

## Mishna

Rabbi Nechunya ben Hakanah used to say a prayer as he entered the study hall and as he left it - a short prayer. They

said to him: What is the place for this prayer? He said to them: When I enter I pray that no misfortune should occur through me, and when I leave I express thanks for my portion. (28b)

## Prayers in the Study Hall

The *Gemora* cites a *braisa*: On entering (*the study hall*) what does one say? May it be Your will, Hashem, my God, that no misfortune should occur through me, and that I may not stumble in a matter of *halachah* and that my colleagues may rejoice over me, and that I may not regarding something *tamei* that it is *tahor* or that something *tahor* is *tamei*, and that my colleagues may not stumble in a matter of *halachah* and that I may rejoice over them.

On his leaving what does he say? I give thanks to you, O Hashem, my God, that You hast placed my portion with those who sit in the study hall, and You have not placed my portion with those who sit on street corners (*shopkeepers or ignorant people, who waste their time chattering idly*). For I rise early and they rise early, but I rise early for words of Torah and they rise early for idle talk. I toil and they toil, but I toil and receive a reward and they toil and do not receive a reward. I run and they run, but I run to the life of the World to Come and they run to the pit of destruction.

The *Gemora* cites a *braisa*: When Rabbi Eliezer fell ill, his students went in to visit him. They said to him: Teacher, teach us the paths of life so that we may through them merit the life of the World to Come. He said to them: Be attentive for the honor of your colleagues, and keep your children from reading (*too much Scripture, for they will find it appealing and refrain from studying the Oral Torah*), and set them between the knees of scholars, and when you pray, know before whom you are standing, and in this manner you will merit the life of the World to Come.

When Rabban Yochanan ben Zakkai fell ill, his students went in to visit him. When he saw them he began to weep. His students said to him: Lamp of Israel, pillar of the right side, mighty hammer! For what reason are you weeping? He said to them: If I were being taken today before a human king who is here today and tomorrow in the grave, whose anger - if he is angry with me does not last forever, who if he imprisons me does not imprison me forever, and who if he puts me to death does not





put me to an everlasting death, and whom I can appease with words and bribe with money, nevertheless, I would weep. Now that I am being taken before the King who reigns over all kings, the Holy One, Blessed be He, who lives and endures forever and ever, whose anger - if He is angry with me, is an everlasting anger, who if He imprisons me imprisons me forever, who if He puts me to death puts me to an everlasting death, and whom I cannot appease with words or bribe with money; and not only that, but there are two roads before me, one leading to the Garden of Eden and the other to Gehinnom, and I do not know by which I shall be taken, shall I not weep?

They said to him: Teacher, bless us. He said to them: May it be God's will that the fear of Heaven shall be upon you like the fear of flesh and blood. His students said to him: Is that all? He said to them: If only (*you can attain this level!*)! You can see that this is so, for when a man wants to commit a transgression, he says, "I hope no man will see me." At the moment of his passing, he said to them: Remove the vessels so that they shall not become *tamei*, and prepare a throne for Chizkiyah the King of Yehudah who is coming (*to accompany me*). (28b)

## INSIGHTS TO THE DAF

### *Learning while Standing*

The *Mishna* in Sotah had stated: When Rabban Gamliel the Elder died, the glory of the Torah terminated and purity and abstinence perished.

Rashi cites the Gemora in Megillah (21a) which states that from the days of Moshe until Rabban Gamliel, they would study Torah standing. Afterwards, people became weaker and they would study torah while sitting; they didn't have the strength to stand.

Our *Gemora* says that when Rabban Gamliel was the Rosh Yeshiva, his policy was that any student who was not "*tocho c'baro*," his inside was not like his outside, would not be allowed to enter the Beis Medrash. Not everyone who applied was automatically accepted into his Yeshiva. Rabban Gamliel only accepted students who were honest and sincere, through and through, without any hints of fakery or hypocrisy.

The *Gemora* relates that there was a subsequent change in the leadership and Rabbi Elozar ben Azariah was appointed the new Rosh Yeshiva. He implemented a new policy: Everyone was invited into the Beis Medrash even someone who was not "*tocho c'baro*." As a result, the Gemora records: Many benches were added to the Beis Medrash.

Two questions can be asked. Firstly, how were they able to ascertain who was a "*tocho c'baro*" and who wasn't; only Hashem is capable of peering into someone's heart? Secondly, why does the Gemora state that many benches were added; we are not interested in the amount of chairs there were; it should have said that there were many more students learning on the account of the new policy?

Rav Nosson Gishtetner answers based on our Gemora: In the days of Rabban Gamliel, the sincere students would be learning standing; that was a symbol that he was learning Torah for the sake of the mitzvah and not for any ulterior motive. When the new policy was enacted, more benches were added because the generation was weaker and they did not have the ability to stand while they were learning.

## DAILY MASHAL

### *We Toil and they Toil*

By: Rabbi Price

The Chofetz Chaim asks, what does it mean that they work hard and don't receive reward? Don't they bring home a nice paycheck?

He offers two explanations based on a simple mashol - parable. A person ordered a pair of shoes from a shoemaker agreeing to pay \$100 for the material and \$100 for the labor. When the shoes were ready the shoemaker wanted to charge an extra \$100 for labor. He explained, that when he made the shoes he had tremendous difficulties. His wife was yelling at him, and his kids were dancing on his head. He also had very little sleep and a headache, and he received a few bills in the mail ....The buyer refused to add another cent arguing that had already made up



to pay only \$100 for labor. He only agrees to pay for the market value of the finished product which is \$200. The personal difficulties of this particular shoemaker don't raise the market value of the product. What if the shoemaker was very happy when he made the shoes would he charge less?! So the truth is they don't get reward for their toil. They are paid for the finished product not taking into account their hard toil. However, when it comes to Torah, Hashem takes in to consideration every iota of hardship that we may have had when we learned. We truly "receive reward for our toil".

The Chofetz Chaim offers a second explanation with the same parable. What if the shoes didn't fit, would the buyer pay? Of course not! The shoemaker nevertheless demands payment pleading that he worked so hard and deserves something for it. The customer adamantly refuses, and is even slightly amused at the idea. He insists that he is obligated to pay only for the product they had agreed upon. In this case the shoemakers entire effort goes down the drain. When it comes to learning Torah however, Hashem gives reward for the toil even if the shoe doesn't fit. If you worked hard on a piece of Gemora for an hour, and you still didn't understand it, or you learned the wrong pshat - explanation, you still get reward for the toil.

### ***How Did the Guard Recognize His Character?***

By: Meoros HaDaf HaYomi

During Rabban Gamliel's *nesius* there was a guard at the entrance of the *beis midrash* as Rabban Gamliel announced that "any pupil whose inner character does not match his outer appearance must not enter the *beis midrash*." How could the guard recognize a person's character? The author of *Imrei Emes zt"l* said that the simple meaning is that there was no guard at all. Rabban Gamliel's announcement guarded the entrance. The Old Rebbe of Sadigura zt"l explained that, indeed, there was a guard. And how could he recognize the pupils' inner character? He whose inner character matched his appearance found a way to enter, through a window or through the roof... (*Ma'yanah shel Torah, Terumah*).

### ***Just While Sitting***

When Rabban Gamliel's *nesius* ended, the guard was removed from the *beis midrash* and many benches were added. Chasidic leaders explained: Rabban Gamliel, as explained here in the Gemara, prevented any pupil whose inner character did not match his outer appearance from entering the *beis midrash*. Such types don't toil hard at learning but are only interested if they're comfortable. Therefore, when the guard was removed, benches were added. The new ones were only interested in learning while sitting comfortably, they couldn't imagine learning while standing – or sitting on the floor...

### ***The Reward for Standing for the Old Is the Fear of Heaven***

Our Gemara recounts that when Rabbi Zeira became weak and couldn't learn, he sat at the entrance of the *beis midrash* to stand before the *chachamim* who came in and out and to get a reward therefor. Commentators remark that one should not perform a mitzvah to get a reward (Avos 1:3)!

The Chida explains (*Pesach Einayim*) that if a person performs a mitzvah by which he is not obligated, he may do it with intention for the reward and, as Rabbi Zeira was great in Torah, he was not obligated to stand before his pupils. On the other hand, *Benei Yisachar* explains (Sivan 5-14) that standing before the elderly is a *segulah* to attain the fear of Heaven – "You shall rise before the elderly...and you will fear Hashem" – and this is the reward that Rabbi Zeira wanted.