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Shabbos Daf 116

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Daf Notes is currently being dedicated to the neshamah of

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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

Torah Scrolls

The *Gemora* cites a *braisa* which says that the paragraph of 'vayehi binsoa' - 'and it came to pass when the ark set forward' is demarcated (by upside down nun's) to indicate that this is not its appropriate location, while Rebbe says it is to indicate that this paragraph is its own book in the Torah.

The *Gemora* asks: With whom does the following statement of Rabbi Shmuel bar Nachmeini in Rabbi Yonasan's name agree: *She [wisdom] has hewn out her seven pillars*: this refers to the seven Books of the Torah? With whom? It is with Rebbe (since the section of 'vayehi binsoa' is a separate Book, the portions of Numbers preceding and following it are also separate Books; therefore, there are seven in all).

The *Gemora* notes: The *Tanna* who disagrees with Rebbe is Rabban Shimon ben Gamliel, for it was taught in a *braisa*: Rabban Shimon ben Gamliel said: This section is destined (in the time when there will be no longer any Divine retribution, and the Evil Inclination will be negated) to be removed from here and written in its right place (in the section dealing with the disposition of the Israelites according to their banners and their travelling arrangements); and why is it written here? It was in order to provide a separation between the first (account of) punishment and the second (account of) punishment.

The *Gemora* explains: The second (account of) punishment was: *And the people sought to complain (and*

they were consumed by a Divine fire). The first (account of) punishment was: *And they traveled from the mountain of Hashem, which Rabbi Chama the son of Rabbi Chanina expounded (as meaning) that they turned away from following God. And where is its (right) place? It is in (the section of) the banners.*

The scholars inquired: The blank spaces of a Torah scroll (either its margins that have been cut off, or if the writing became erased) - may we rescue them (on Shabbos) from a fire or not?

The *Gemora* attempts to resolve this from a *braisa*: If a Torah scroll became worn, if eighty-five letters can be gathered in it, such as the section 'vayehi binsoa' - 'and it came to pass when the ark set forward,' we must save it; if not, we may not save it. But why is that so? Derive (that it may be saved) on account of its blank space?

The *Gemora* rejects the proof: That which is worn is different (for the parchment of the margins is worn as well; the inquiry is where the parchment is fine, but the writing is erased).

The *Gemora* attempts to resolve this from a *braisa*: If a Torah scroll became worn, if eighty-five letters can be gathered in it, such as the section 'vayehi binsoa' - 'and it came to pass when the ark set forward,' we must save it; if not, we may not save it. But why is that so? Derive (that it may be saved) on account of its blank space?



The *Gemora* answers: As for the place of the writing, I have no inquiry, for when it was sanctified, it was on account of the writing, and when its writing departs, its sanctity departs as well. My inquiry is only in respect of (*the blank spaces*) above and below, between the sections, between the columns, and at the beginning and the end of the Scroll (*for these sections were always intended to be blank*).

The *Gemora* asks: Yet derive (*that it must be saved*) on that account (*of the margins of these eighty-five letters*)?

The *Gemora* answers: It may mean there that one had cut off (*the blank spaces*) and thrown them away.

The *Gemora* attempts to resolve this from a *braisa*: The blank spaces above and below, between the sections, between the columns, at the beginning and at the end of the Scroll, render one's hands *tamei* (*as the Rabbis imposed tumah upon hands that came into contact with a holy Scroll*).

The *Gemora* answers: It may be that (*when they are*) together with the Torah scroll they are different (*for if the Torah is sacred, so too are its margins and other blank spaces*).

The *Gemora* attempts to resolve this from a *braisa*: The blank spaces and the Books of Sectarrians (*written by Jews who had idolatrous beliefs*) may not be saved from a fire, but they must be burned in their place, they and the Divine Names occurring in them. Now surely it means the blank portions of a Torah scroll?

The *Gemora* rejects the proof: No! It refers to the blank spaces in the Books of Sectarrians.

The *Gemora* challenges this interpretation: Seeing that we may not save the Books of Sectarrians themselves, need their blank spaces be stated?

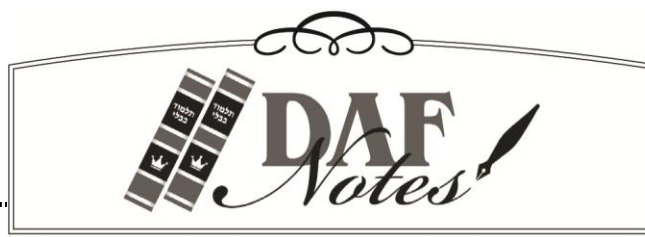
The *Gemora* answers: This is its meaning: And the Books of Sectarrians are like blank spaces (*of parchment, where no words of Torah were ever written*). [*The Gemora does not reach a conclusion regarding its inquiry.*]

It was stated in the text: The blank spaces and the Books of the Sectarrians, we may not save them from a fire. Rabbi Yosi said: On weekdays one must cut out the Divine Names which they contain, hide them (*in a storage area*), and burn the rest. Rabbi Tarfon said: May I bury my son if I would not burn them together with their Divine Names if they came to my hand. For even if one was chasing him (*referring to himself*) to slay him, or a snake was running after him to bite him, he would enter a heathen Temple (*for refuge*), but not the houses of these (*Jewish sectarians*), for they (*the Jewish sectarians*) know (*of God*) yet deny (*Him*), whereas the former are ignorant and deny (*Him*), and of them Scripture says: *and behind the doors and the posts you have set up your memorial*.

Rabbi Yishmael said (*that these scrolls together with their Divine Names should be burned, based on*) the following *kal vachomer*: If, for the sake of peace between a husband and his wife (*whom he suspects of infidelity*), the Torah commands us to erase His Name by placing the parchment into water, then regarding these, who stir up jealousy, enmity, and disagreement between Israel and their Father in Heaven, how much more so (*should His Name be erased*); and of them David said: *Do not I hate them, Hashem, those that hate You? And do I not quarrel with those that rise up against You? I hate them with the utmost hatred: I count them as my own enemies*.

The *braisa* continues: And just as we may not rescue them from a fire, so may we not rescue them from (*the debris of*) a collapsed building, or from water, or from anything that may destroy them.

Yosef the son of Chanin inquired of Rabbi Avahu: As for the Books of Bei Avidan (*the meeting place where religious controversies were held; our Gemora refers to*



the books written by these Sectarrians for the purpose of these controversies), may we save them from a fire or not? [Were those people real heretics, or were they merely philosophers?] At times he would say yes and at times he would say no, as he was uncertain about the matter.

The Gemora relates: Rav would not enter Bei Avidan (for those debates), and certainly not Bei Nitzrefei (for that was an idolatrous shrine). Shmuel would not enter Bei Nitzrefei, yet he would enter Bei Avidan.

They said to Rava: Why did you not come with us to Bei Avidan? He replied: A certain palm tree stands in the way, and it is difficult for me (to pass it, as due to its roots, the road is uneven; this was merely an evasion). [They said:] Then we will uproot it! [Rava replied:] Its spot (where the hole is) will present difficulties to me.

Mar bar Yosef said: I am one of them (i.e., on good terms with them) and do not fear them. On one occasion he went there, and they wanted to endanger his life.

The Gemora relates: Imma Shalom, Rabbi Eliezer's wife, was Rabban Gamaliel's sister. Now, a certain philosopher lived in his vicinity, and he bore a reputation that he did not accept bribes (when judging a case). They wished to expose him, so (they concocted a case, and) she brought him a golden lamp, went before him, and said to him, "I desire that a share be given me in my (deceased) father's estate." He ordered, "Divide it." Rabban Gamliel said to him, "It is decreed for us that where there is a son, a daughter does not inherit." [He replied:] "Since the day that you were exiled from your land, the Law of Moses has been taken away, and another book given, wherein it is written, 'A son and a daughter inherit equally.'" The next day, he (Rabban Gamliel) brought him a Luvian donkey. The judge said to them, "Look at the end of the book, wherein it is written, 'I came not to detract from the Law of Moses, nor to add to the Law of Moses,' and it is written therein (in the Law of Moses), 'A daughter does

not inherit where there is a son'." She said to him, "Let your light shine forth like a lamp." Rabban Gamliel said to him, "A donkey came and knocked the lamp over!" (116a – 116b)

INSIGHTS TO THE DAF

Genizah in Extenuating Circumstances

By: Meoros HaDaf HaYomi

As we know, it is forbidden to discard worn out Torah scrolls or other Torah writings. When Sifrei Torah or other seforim are no longer useable, they are buried in geniza with the utmost respect and reverence. This halacha is based on the possuk, "You shall destroy their name from that place (a reference to avoda zara). You shall not do this to Hashem, your G-d," (Devarim 12:4), which forbids us to destroy any document that contains the Name of Hashem. Destroying Hashem's Name is punishable by flogging, according to Torah law (Makkos 22a, Rambam Yesodei HaTorah 6:1).

Other Torah writings that do not contain Hashem's Name, also may not be destroyed. The Magen Avraham (154:9) rules that they are also subject to the Torah prohibition against disgracing holy writings. However, in Teshuvos Achiezer (II, 48:3), R' Chaim Ozer rules that they are only subject to a Rabbinic prohibition. According to both opinions, the punishment of flogging for destroying them is only mederabanan, as the Rambam explicitly writes (Rambam, ibid 6:8).

In our sugya we find that not only is it forbidden to destroying Torah writings, we are obligated to protect them from destruction or disgrace. The Gemara rules that even those Torah writings that may not be saved from a fire on Shabbos, still require geniza when disposed of on a weekday.



The Moroccan funeral procession: In Morocco, worn Torah writings were buried in geniza amidst a funeral procession that took place each year on the day following Shavuos. Special piyutim were sung for the occasion, such as "It is a merit for Israel, on the conclusion of the festival of the Torah. Just as we protect the holy Names of Hashem, and show them great respect, so may Hashem protect His nation..." (Nesivos HaMaarav, p. 111).

On many occasions, geniza offered an invaluable treasure house of rare documents, when discovered many years after their interment. One of the most famous examples is the geniza of Kahir, which was found in the attic of an ancient shul in Postat, Egypt. The dry desert conditions helped preserve approximately two hundred thousand pages of Torah writings, which were found there about a hundred and ten years ago.

The vandalized geniza: In the community wherein the Shvus Yaakov presided as rav, geniza was stored in the attic of the shul. Over the years it accumulated, until the attic was full and could hold no more. The caretakers of the shul then gathered all the Torah writings into barrels and brought them to the graveyard for burial. Gentile neighbors discovered the buried writings and used them for an unspeakably disgraceful purpose. Left with no other alternative, the Shvus Yaakov ruled that it is more respectful to burn them, than to let them be so heinously defiled. However, he ruled that they must be burned in the most discrete and respectful way possible. They should not all be burned at once in a giant bonfire, but little by little in earthenware vessels. The ashes should be put in storage until the passing of a Torah scholar, and then buried together with him in his grave. In the course of a lengthy responsa, he explains his proofs for this ruling, and states that this leniency should not be applied to Sifrei Torah. Since there are not so many worn Sifrei Torah to be buried, other alternatives can be found for their geniza.

The Shvus Yaakov's ruling was challenged by other Poskim, who reasoned that we may not destroy Torah writings in order to prevent others from defaming them (Knesses Yechezkel, 37; Sho'el U'Meishiv 2:15; Chasam Sofer's commentary to O.C. 154; Kaf HaChaim ibid, s.k. 37).

Printed seforim: Contemporary poskim discuss whether the laws of respecting Torah writings also apply to printed seforim. Some hold that the holiness which rests upon the letters depends upon the intent of the person who writes them. Since a machine has no intent whatsoever, the holiness and the restrictions that accompany it, do not apply. The poskim reject this reasoning, and rule that even if the printing press was run by a gentile, the seforim still have holiness (Tzitz Eliezer III, 11; Minchas Yitzchak I, 17; 8:12).

One of the most common mishaps of improperly disposed geniza occurs when Torah thoughts are written in the course of a mundane text. People might not realize that the text contains kedusha, and disgrace or even destroy it (Ginzei HaKodesh, chs. 9, 14). Just such an incident occurred in the 2004 Jerusalem Chareidi phone book. A carpenter who specializes in shul furniture submitted an ad with a photograph of his handiwork, a beautiful *amud tefilla* with Hashem's Name clearly apparent in the picture. According to what we have discussed above, it is a Torah prohibition to throw away such a picture. The Geniza Society of Israel posted signs across the city, warning people to tear out this page and put it in geniza before throwing away the book.