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Shabbos Daf 139

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Daf Notes is currently being dedicated to the neshamah of

Tzvi Gershon Ben Yoel (Harvey Felsen) o”h

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

It was taught in a *braisa*: Rabbi Yosi ben Elisha said: If you see a generation overwhelmed by many troubles, go forth and examine the (*deeds of the*) judges of Israel, for all misfortune that comes to the world comes only on account of the judges of Israel, as it is written: *Hear this now, O heads of the house of Jacob, and rulers of the house of Israel, that abhor justice, and pervert all that is straight. They build up Zion with blood and Jerusalem with iniquity. Her heads judge for bribes, and her priests issue rulings for a fee, and her prophets divine for money; yet they rely upon Hashem. They are wicked, but they place their confidence in the One Who decreed, "Let the world come into existence" (assuming that He would not punish them).*

Therefore the Holy One, Blessed be He, will bring three punishments upon them - corresponding to the three sins which they cultivate, as it is written: *Therefore, shall Zion for your sake, be plowed as a field, and Jerusalem shall become heaps of ruins, and the Temple Mount shall be as the high places of a forest.*

The *braisa* continues: And the Holy One, Blessed be He, will not cause His Divine presence to rest upon Israel until the wicked judges and officers cease out of Israel, for it is written: *And I will turn my hand against you, and thoroughly purge away your dross as with soap, and will take away all your tin. And I will restore your judges as in the first place, and your counselors as in the beginning, etc.*

Ulla said: Yerushalayim is only redeemed with charity. This is as the verse says: *Tzion will be redeemed with judgment, and its captives with charity.*

Rav Pappa said: When the haughty cease to exist (*in Israel*), the *amgushei* (*heretics, who incite others to idolatry*) shall cease. When the (*corrupt*) judges cease to exist (*in Israel*), the *gazirpatei* (*oppressive Persian officers*) shall cease. ‘When the haughty cease to exist (*in Israel*), the *amgushei* shall cease’; as it is written: *I will thoroughly purge away your dross as with soap.* ‘When the (*corrupt*) judges cease to exist (*in Israel*), the *gazirpatei* shall cease’; as it is written: *God had taken away your judgments, He has turned away your enemy.*

Rabbi Mala’i said in the name of Rabbi Elozar son of Rabbi Shimon: What is meant by the verse: *Hashem has broken the staff of the wicked, the scepter of the rulers?* ‘Hashem has broken the staff of the wicked’ refers to the judges who become a staff for their officers. [*They support their underlings in evil; or, support them in their refusal to summon the defendant to court or to enforce the court verdict unless their salary is raised.*] ‘The scepter of the rulers’ refers to the Torah scholars in the families of the judges. [*These unfit judges are appointed by the Torah scholars of their family; they later cover up their mistakes and defend their decision.*]

Mar Zutra said: This refers to the Torah scholars who teach the laws to ignorant judges (*who will subsequently judge incorrectly*).

Rabbi Elozar son of Mala'i said in the name of Rish Lakish: What is meant by the verse: *For your hands are defiled with blood, and your fingers with iniquity; your lips have spoken lies, your tongue mutters wickedness? 'For your hands are defiled with blood';* this refers to the (*corrupt*) judges. *'And your fingers with iniquity';* these are the court scribes. *'Your lips have spoken lies';* these refer to the lawyers. *'Your tongue mutters wickedness';* these are the litigants.

Rabbi Mala'i also said in the name of Rabbi Yitzchak of Migdelah: From the day that Yosef departed from his brothers he did not taste wine, for it is written: *And on the head of the exile (nezir) from his brethren.* [A nazir is one who abstains from drinking wine.]

Rabbi Yosi ben Rabbi Chanina said: They too did not taste wine, for it is written (*when they were together with Yosef again*): *And they drank, and became intoxicated with him.* This implies that they did not drink until then. And the other one (R' Mala'i, *who maintains that it was only Yosef who refrained from drinking wine*) explains: There was no intoxication, yet there was (*moderate*) drinking.

Rabbi Mala'i also said: As a reward for (*that which Hashem said regarding Aaron*), "*and he will see you, and he shall be glad in his heart,*" he was privileged to wear the *Choshen Mishpat* (*breastplate*) upon his heart.

The citizens of Bashkar sent the following questions to Levi: What about (*setting up*) a canopy (*on the Sabbath*)? What about hops in a vineyard? [*Does it violate the prohibition against planting vegetables together with a vineyard, or perhaps, it is regarded as a*

tree?] What about (*digging a grave for*) a corpse on a Festival? By the time he (*the messenger*) arrived, Levi had died. Shmuel said to Rav Menashya: If you are wise (*enough to answer them*), send them (*an answer*). So he sent them the following: As for a canopy, we have examined it from all aspects, and do not find grounds by which it can be permitted.

The *Gemora* asks: But let him send them (*a permissive ruling*) in accordance with Rami bar Yechezkel (*where a sheet was already attached to the pole from beforehand, and a string or cord was attached to it by means of which it might be easily pulled down*)?

The *Gemora* answers: He did not do this because they were not learned in the Torah (*and they would act leniently in other places – against the halachah*).

Rav Menashya continued: Hops in a vineyard is a forbidden mixture.

The *Gemora* asks: But let him send them (*a lenient reply*) in accordance with Rabbi Tarfon, for it was taught in a *braisa*: As for hops, Rabbi Tarfon maintains that it is not *kilayim* in a vineyard; while the Sages rule that it is *kilayim* in a vineyard. And it is an established principle that whoever's opinion is more lenient in *Eretz Yisroel*, the *halachah* follows him in respect of such products outside of *Eretz Yisroel* (*and Bashkar is located outside of Eretz Yisroel*)?

The *Gemora* answers: He did not do this because they were not learned in the Torah (*and they would act leniently in other places – against the halachah*).

Rav announced: He who wishes to plant hops in a vineyard, let him plant. Rav Amram the pious would punish a person with lashes for this. Rav Mesharshiya would give a *perutah* (*small coin*) to a gentile child to



plant it for him. [*He agreed with Rav, nevertheless, he did it in an unusual manner, so as not to encourage laxity.*]

The *Gemora* asks: Then let him give it to a Jewish child?

The *Gemora* answers: He would come to continue this practice (*even after he grows up*).

The *Gemora* asks: Then let him give it to an adult gentile?

The *Gemora* answers: He might come to substitute a Jewish person for him.

As for a corpse, Rav Menashya sent to them: Neither Jews nor non-Jews may involve themselves with a corpse, neither on the first day of a Festival, nor on the second.

The *Gemora* asks: But is that so? For Rabbi Yehudah bar Shilas said in the name of Rabbi Assi: Such a case happened in the synagogue of Maon on a Festival adjoining the *Shabbos*, though I do not know whether it (*the Festival*) preceded or followed it (*the Shabbos*)¹, and when they went before Rabbi Yochanan, he said to them: Let non-Jews involve themselves with him (*the corpse*).

And Rava said as well: As for a corpse, on the first day of Festivals, non-Jews should involve themselves with him; on the second day of Festivals, Jews may involve themselves with him, and even on the second day of

Rosh Hashanah, which is not so in the case of an egg²! [*Why then did Rav Mesharshiya rule stringently?*]

The *Gemora* answers: He did not do this because they were not learned in the Torah (*and they would act leniently in other places – against the halachah*).

Rav Avin bar Rav Huna said in the name of Rav Chama bar Gurya: A man may wrap himself in a canopy sheet and with its strings to go out into the public domain on the *Shabbos* without fear (*that he is carrying the strings*).

The *Gemora* asks: How does this differ from Rav Huna's rule, for Rav Huna said in the name of Rav: If a man went out in the street on *Shabbos* wearing a garment which did not have the proper amount of fringes attached to it, he is liable to a *chatas*.?

The *Gemora* answers: *Tzitzis* are important in relation to the cloak, hence they are not subordinate (*to it*); these are (*relatively*) insignificant, and (*so*) are accounted as subordinate (*to the cloak*).

¹ whether the Festival fell on Friday, on which day the death occurred, so that it had to be buried on the same day, for they would not be able to bury the body on the next day, or whether it fell on Sunday and the death occurred on the *Shabbos*, so that the burial could not be delayed any longer, for the corpse would decay

² An egg laid on the first day of any Festival except *Rosh Hashanah* may be eaten on the second day as well. But in respect to a corpse, *Rosh Hashanah* is the same as other Festivals.