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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

**Learning Torah**

*And he did not sit in the company of jesters* means that he did not sit together with Philistines, as they were jesters. This is as the verse says: *And when their hearts were merry, and they said, Call Shimshon and let him play for us.*

*Praised is a man who fears Hashem.* Is only a man praised for this and not a woman?

Rav Amram answers in the name of Rav: Praised is a person who repents when he is a man (*i.e. young*).

Rabbi Yehoshua ben Levi says: Praised is someone who is victorious over his evil inclination like a true man (*i.e. who has a strong will to do good*).

*He cherishes His commandments greatly.* Rabbi Elazar explains: He wants the *mitzvos*, but not (*i.e. he does not require*) the reward for doing the *mitzvos*. This is as the *Mishnah* says: Do not be like servants who serve their master in order to be rewarded, but rather be like servants who serve their master without intent to be rewarded.

*For he only desires Hashem's Torah.* Rebbe says: A person only learns Torah from a place (*a topic or meseches*) where his heart desires. This is as the verse says: *For he only desires Hashem's Torah.* [*He learns what he wants.*]

Levi and Rabbi Shimon, the son of Rebbe, were sitting before Rebbe. They were studying Scripture, and finished one of the books. Levi said: Let us have brought for us a book of Mishlei. Rabbi Shimon said: Let us learn Tehilim. They forced Levi to agree to Tehilim. When they got to the verse, *for he only*

*desires Hashem's Torah*, Rebbe taught as follows: A person only learns Torah from a place where his heart desires. This is as the verse says: *For he only desires Hashem's Torah*. Levi said: Rebbe, you have given us permission to leave (*as he did not want to learn Tehilim at the time*).

Rabbi Avdimi bar Chama says: Whoever learns Torah will have Hashem take care of his wishes. This is as the verse says: *For in the Torah of Hashem is his desire.*

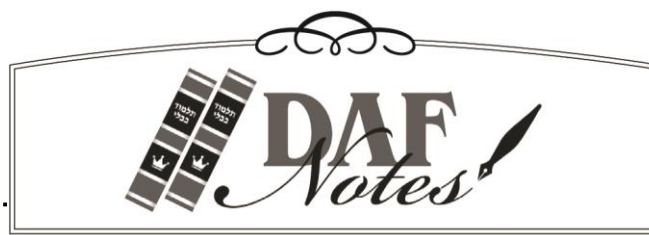
Rava says: A person should always learn Torah where his heart desires, as the verse says: *For in the Torah of Hashem is his desire (depends on where he wants to learn Torah).*

Rava says: Torah originally is deemed to belong to Hashem, but after it is studied, it is owned by the scholar. This is as the verse says: *In the Torah of Hashem is his desire, and in his Torah he will toil day and night.* [*Originally it is deemed the Torah of Hashem, but after he learns it, it is considered his Torah.*]

Rava says: A person should first learn Torah and then delve into it, as the verse says: *In the Torah of Hashem...and in his Torah he should toil.*

Rava says: A person should always learn, even if he forgets it, and even if he does not understand the words. This is as the verse says: *My soul shatters with yearning (for the words of Torah).* The verse specifically says, "*garsah*" -- "shatters" instead of "*tachnah*" -- "grinds."

Rava asks that one verse says (*regarding learning Torah that the students were*), *on my wings*, while another verse says, *on a chair*. He answers that in the beginning, the student sits upon wings, and ultimately he sits upon a chair. [*The Maharsha*



*explains that at first learning is difficult to grasp, like flying on top of wings, but after putting in effort, it becomes as solid and grounded as one who is sitting in a chair.]*

Similarly, the verse says: *it is atop the heights*, yet it also says: *it is on the way*. Here, too, the intent is that it is at first atop the heights (*when he is still ignorant in halachic matters*), but later, it becomes easy to access like something encountered on the way.

Similarly, Ulla asks that the verse says: *drink water from your pit*, yet it also says: *and flowing water from your well*. Here, too, the intent is that first it is like water that is in a pit which one must make an effort to reach, but afterwards it is like water that flows towards a person.

Rava says in the name of Rav Sechorah in the name of Rav Huna: *A fortune gained from vanity will diminish, but that which is gathered by hand will increase*. This teaches us that if a person makes large bundles of his Torah (*learns a lot of new material at one time*), his learning will diminish (*he will not remember his learning*). However, if he gathers by hand (*learns a little at a time and reviews*), it (*his Torah knowledge*) will increase.

Rava says: The Torah scholars knew this, but did not heed it.

Rav Nachman bar Yitzchak says: I did this, and I remembered my learning.

Rav Shizvi says in the name of Rabbi Elazar ben Azaryah: What does the verse mean when it says: *a deceitful hunter will not roast his catch*? This means that a deceiving hunter will not live nor lengthen his days (*someone who tries to learn a lot without reviewing (i.e. deceiving) will not merit long life*).

Rav Sheishes understands the verse as follows: Won't a cunning hunter roast his catch (*a scholar who reviews what he learns will retain it*)?

When Rav Dimi came from Eretz Yisroel, he said that this is similar to a person who hunts birds. If he breaks the wings of the first bird, the others stay by him. If he does not, the others will fly away. (19a1 – 19a4)

*And it will be like a tree rooted alongside streams of water*. It was said from the academy of Rabbi Yannai: This is like a rooted tree, not a planted tree. This is because someone who learns from only one master will never see blessing in his learning.

Rav Chisda said to his students: I want to say something to you, but I am scared you will all leave and go elsewhere. Someone who learns from only one master will never see blessing in his learning. They indeed left him, and went to learn by Rava. Rava told them: This is only regarding logic, but it is better to learn the basic text from one master, in order that the texts will not conflict with each other.

*By streams of water*. Rav Tanchum bar Chanilai says: One should divide his years. One third of his life should be devoted to learning Scripture, one third to learning *Mishnah*, and one third to learning *Gemara*.

The *Gemara* asks: Does a person know how long he is going to live that he can make such a calculation?

The *Gemara* answers: He meant that one should divide his days in this manner. [*Rashi says two days a week for each, while Tosfos says each day should be divided into thirds.*]

*That yields its fruit in its proper time*. Rava says: If his fruit will be given at the proper time (*he will have set times when he studies Torah*), his leaves will not wilt (*he will not forget his Torah study*). If not, on both the teacher and student the verse says: *Not so the evildoers, but rather etc.*

Rabbi Abba says in the name of Rav Huna in the name of Rav: What does the verse mean when it says: *she has caused many dead bodies to fall*? This refers to a student who does not have the ability to rule in *halachah* and does so anyway. *And many*



*are all of those she has killed* refers to a Torah scholar who can rule and does not. When is a person fit to rule? He is fit when he is forty years old.

The *Gemara* asks: Didn't Rava rule (*and he died at forty*)?

The *Gemara* answers: In Rava's city they were all equal.

*And whose leaves will not wilt.* Rav Acha bar Adda says in the name of Rav, and some say Rav Acha bar Abba says in the name of Rav Hamnuna in the name of Rav: This teaches that even the casual conversation of a Torah scholar requires analysis. This is as the verse says: *and whose leaves will not wilt.* [*Rashi explains that just as leaves are the lightest part of a tree, so too a Torah scholar's casual conversation is not for naught, and requires study.*] *And whatever he does, he will be successful.*

Rabbi Yehoshua ben Levi says: This is written in the Torah, said again in Prophets, and noted a third time in Writings. Whoever toils in Torah has success with his possessions. The Torah states: *And you will observe the words of this covenant and you will do them, in order that you should succeed in everything you do.* This is stated again in Prophets, as the verse says: *This Torah scroll should not depart from your mouth, and you should toil in it day and night - in order that you will guard to do what is written in it, and then you will have success in your ways, and you will prosper.* This is stated a third time in Writings, as the verse says: *For in the Torah of Hashem is his desire, and he will toil in his Torah day and night. And he will be like a tree deeply rooted on the streams of water, that yields its fruit at the proper time and whose leaves will not wilt, and whatever he does, he will be successful.*

Rabbi Alexandri announced: Who wants life? Who wants life? Everyone proceeded to gather around him. They said: Give us life! He said: *Who is the man who seeks life, who loves days of good seeing? Guard your tongue from evil and your lips from speaking deceit.* Perhaps a person will say, "I have guarded my tongue from evil and my lips from speaking deceit. Perhaps I can now go and be engaged in sleep. The verse therefore continues: *turn away from evil and do good.* Good refers to the

study of Torah, as the verse says: *For I have given you a good teaching, do not leave My Torah.* (19a4 – 19b2)

### ***Dome on the Bathhouse***

The *Mishnah* had stated that if they got to the dome of the building where they place the idol, he is forbidden to build with them.

Rabbi Elazar says in the name of Rabbi Yochanan: If he did build it, he may have benefit from his wages.

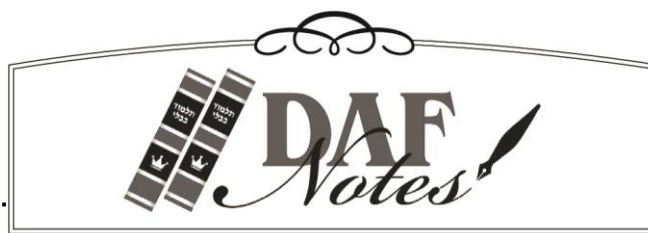
The *Gemara* asks: This is obvious! The dome is only an accessory that serves the idol, and both Rabbi Yishmael and Rabbi Akiva hold that this area is only forbidden once it is worshipped!?

Rabbi Yirmiyah says: Rabbi Elazar's statement was with respect of the idol itself.

The *Gemara* asks: This is understandable according to the opinion that an idol of a Jew is forbidden once it is constructed, but the idol of an idolater is only forbidden once it is worshipped. However, according to the opinion that both are forbidden once they are constructed, how could the Jew be allowed to benefit from his wages?

Rather, Rabbah bar Ulla says: This is needed to teach regarding the last blow of the hammer to finish the idol. What caused it to be regarded as a prohibited idol? The completion of the construction made it ready to be worshipped. When is it completed? It is with the final blow. However, the wages for this last final blow are less than a *perutah*.

The *Gemara* notes: This implies that Rabbi Elozar holds that one earns his wages from the beginning until the end (*as opposed to earning them when he finishes the job*). [*Accordingly, his wages were earned working on something that was not forbidden from benefit yet, as it was not ready to be used as an idol yet. Therefore, the wages themselves are not forbidden from benefit.*] (19b3 – 19b4)



### **Mishnah**

One may not make jewelry for idols, such as chokers (or fancy scarfs), earrings, or rings. Rabbi Eliezer says: One may do so for pay. We do not sell them plants that are attached to the land, but can sell them things that have been cut off the land. Rabbi Yehudah says: We can sell things that are still attached on condition that they will be cut down. (19b4 – 19b5)

### **INSIGHTS TO THE DAF**

#### **Appointing a Child as a Judge**

Our *sugya* cites Rav's sharp statement concerning those who have not sufficiently learnt *Shas* and *poskim* and instruct *halachah*, applying to them the verse "for many corpses has she felled" (Mishlei 7:26). The Gemara says that a *talmid chacham* should teach *halachah* only upon reaching the age of 40.

#### **Tosfos: a rav may instruct halachah after 40 years of study:**

According to Rashi (s.v. 'Ad and s.v. *Hasam*), this means that when a person becomes 40 years old, he achieves understanding and may instruct *halachah* even if there is a superior *chacham* in his town. But according to Tosfos (Sotah 22b, s.v. 'Ad), the Gemara means that only after 40 years of study a person may teach *halachah* in a town where there are greater *chachamim*. Other Rishonim (see *Beis Yosef*, Y.D. 242) believe that our Gemara does not mean that a person does not achieve mature understanding before the age of 40 but that a young man shouldn't instruct *halachah* where the *rav* of the town is older than him.

Rambam asserts that "a pupil who is not fit to teach and teaches is an evildoer, a fool and an impudent person" (*Hilchos Talmud Torah*, 5:4) but does not mention the age of 40. The phenomenon is found in other *halachic* works and many leading authorities have toiled to explain the exclusion. *Lechem Mishneh* (ibid) comments that the age of 40 applied to previous eras, before the *Mishnah* and *Gemara* were written. A student then needed so many years to learn and revise Torah from his *rav*. But once the oral Torah was written and learning could be accomplished out of books, a *chacham* does not need

so many years to instruct *halachah*.

The Rogatchover Gaon offers an interestingly simple explanation in his *Tzafenas Pa'neiach*. He mentions the condition (Sanhedrin 5a) that a *chacham* may not teach *halachah* till his *rav* grants him permission (*heteir horaah*). As a result, the *poskim* did not mention the age of 40 since if the *chacham* has *heteir horaah*, this means that his *rav* deemed him "like a forty-year-old" and fit to teach *halachah* at an earlier age. (Our *Gemara* does not explain that Rava was ordained by his *rav* at an earlier age as he was one of the descendents of Eli HaKohen, who do not receive ordination [Sanhedrin 11a]). As for the *halachah*, the *poskim* rule that a *talmid chacham* may instruct *halachah* before the age of 40.

### **DAILY MASHAL**

**The decree of the Egyptian *chachamim*:** We find a trace of Rav's statement in the decree of the Egyptian *chachamim* to refrain from appointing a *dayan* under the age of 40 (*Responsa Mabib*, I, 280). In the same vein, Rabbi Akiva Eiger expressed himself sharply to the leaders of the Varnik community who wanted to appoint a young single *talmid chacham* as their *rav*: "My heart burnt like fire to hear this new fashion also in this country, to accept a **young, single** person as a rabbi" (*Igeres Soferim, Michtevai Rabbi 'Akiva Eiger*, letters 31-38; see further in *Igros Rabbi 'Akiva Eiger*, Ch. 2, letter 49, remark 2). He successfully dissuaded the community.

**How young can a *dayan* be?** According to Rabeinu Yerucham (see *Tur Shulchan 'Aruch*, C.M. 7:3), a *dayan* must not be appointed under the age of 13 as he is a minor. But someone who is 13 years old and expert in the Torah may be appointed as a *dayan* "even if he hasn't grown two hairs, though he is considered a minor for all *d'oraysa* purposes, as the Torah does not describe a *dayan* as an *ish* ("man") – i.e., an adult in every sense. As for the *halachah*, 'Aroch *HaShulchan* (ibid, 3) rules that the main opinion is that of the *poskim* who believe that a 13-year-old who doesn't have two hairs should not be appointed as a *dayan*.