

11 Sivan 5777  
June 5, 2017



Bava Basra Daf 134

Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

Daf Notes is currently being dedicated to the neshamot of

**Moshe Raphael ben Yehoshua (Morris Stadtmauer) o”h**

**Tzvi Gershon ben Yoel (Harvey Felsen) o”h**

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

### ***A Gift - for what?***

The *braisa* tells a story about a man who had sons who were not behaving correctly. He therefore gave all of his property to Yonasan ben Uziel. When the man died, Yonasan ben Uziel sold one third of the property for his use, consecrated one third, and returned the last third to the man’s children. When Shammai heard about this, he challenged Yonasan, telling him that he should not have given the third back to the children, since the man gave him the property to avoid their receiving it. Yonasan ben Uziel said that if Shammai would be able to take back that which he sold and that which he consecrated, then he would be able to exact that which he gave to the children as well, but otherwise, he cannot. Shammai said that Yonasan ben Uziel brazenly answered his challenge.

The *Gemora* explains that Shammai thought that it was apparent that the father gave Yonasan the property on condition that he not give it to his children, and if Yonasan gave the property to the children, the gift would be invalidated. This is similar to the case that occurred in Bais Choron, where a man swore that his father should not derive benefit from him, and then was marrying off a child. He wanted his father to attend the wedding, so he gave someone else the wedding party, in order to allow his father to eat. The one receiving the wedding party consecrated it, and the man giving it then protested, saying that he did not give him the meals in order to consecrate them. The Sages said that any gift that was so restrictive, nullifying any consecration due to its condition, is not sufficient to remove

the prohibition of benefit due to the oath.

Shammai thought that just as the consecration in the case of Bais Choron violated the condition of the gift and invalidated the gift, Yonasan’s giving the property to the children would invalidate the gift. Yonasan explained that in this case, the father made no explicit condition, and therefore just as he could sell and consecrate the property, he could give some back to the children. (133b – 134a)

### ***The Students of Hillel***

The *braisa* says that Hillel had eighty students. Thirty of them reached the level of Moshe, fitting to receive the Heavenly presence. Thirty of them reached the level of Yehoshua, fitting for Hashem to stop the sun in their merit. Twenty reached the level of outstanding students. The greatest of them was Yonasan ben Uziel, while the lowest was Rabban Yochanan ben Zakkai. Rabbi Yochanan ben Zakkai was fully versed in all aspects of Torah – Tanach, *Mishnayos*, *Gemora* (*explanation of the Mishnayos*), *Halachos*, derivations of *halachos* from verses, close inspection of the text of the Torah, enactments of the Sages, logical arguments, comparisons of *halachos* by similar language, astronomy, mathematical meanings of verses, parables, dialogues of *sheidim* (*demons*), trees, and angels, and large and small things.

The *Gemora* explains that large things are the subject of the Maaseh Merkavah (*lit: the workings of the Heavenly chariot; it is referring to the vision seen by Yechezkel of the Heavenly kingdom of angels and Godliness*), while small things refers

to the discussions and debates in the *Gemora*.

Rabban Yochanan ben Zakkai fulfilled the verse that says that Hashem has much to give to those who love him, since their storehouses are full – with Torah knowledge.

The *Gemora* says that if these are the accomplishments of the lowest, the greatest were that much more accomplished, and indeed, when Yonasan ben Uziel was involved in Torah learning, even a bird who alighted on him was burned. (134a)

### ***Here's my Son; Here's my Brother***

The *Mishna* says that if one identifies someone as his son, he is believed, but if he identifies someone as his brother, he is not believed. This doubtful brother splits any inheritance with him, but not with the other brothers. If he dies, the property that he received from the brother who identified him as a brother reverts only to him, while any other property that he acquired is inherited by all the brothers. (134a)

### ***Husband's Reliability***

Shmuel says that a man is believed to identify his son, as far as inheritance and to release his wife from requiring *yibum* (*marrying his brother*) after his death.

The *Gemora* says that it is obvious that he is believed for inheritance, but the *Mishna* is teaching us that he is believed even to release his wife from *yibum*.

We already have a *Mishna* that says that if one says on his deathbed that he has a son, he is believed to release his wife from *yibum*, but if he says he has a brother, he is not believed to require his wife to do *yibum*. However, that *Mishna* is a case where we did not know of any sons or any brothers, and the husband is just confirming his wife's current status - of not needing *yibum*. This *Mishna* teaches

us that even if we know that the husband has a brother, he is believed to release his wife from *yibum*.

Rav Yosef quoted Shmuel as saying that he is believed, since he can claim that he divorced his wife.

Rav Yosef was amazed at this reason, since believing a husband who claims he divorced his wife is itself a subject debated by *Amoraim*.

Instead, Rav Yosef says the reason is since he could currently divorce his wife (*which would result in the ...*), releasing his wife from *yibum*, he is believed to release her by his identification of his son.

Rav Yosef said that he is also believed to claim that he divorced his wife, since he currently has the power to divorce her.

Rav Yitzchak bar Yosef quoted Rabbi Yochanan saying that a husband cannot claim that he divorced his wife.

When he heard this, Rav Sheishes waved with his hand, indicating that Rav Yosef's statement had been refuted.

The *Gemora* challenges this, since Rabbi Chiya bar Avin quoted Rabbi Yochanan as saying that a husband can claim to have divorced his wife.

The *Gemora* resolves the contradictory statements of Rabbi Yochanan by saying that a husband is believed from his claim forward, since he had the power to divorce her at that time, but not when he claims that he divorced his wife earlier, since he does not currently have the power to divorce her retroactively.

The *Gemora* asks whether we believe a husband as far as the future, when he claims to have earlier divorced his wife. Perhaps we should believe him for the future, since he has the power to divorce her now, or perhaps we do not believe



him at all, since it's inconsistent to not believe his statement for the past, but believe it for the future.

Rav Mari and Rav Zevid disagreed, one saying that we do accept the future part of his statement, and one saying that we reject the whole statement.

Rava says that if a husband testifies that another man cohabited with his wife, he is accepted as a witness for the man, but not for his wife, since he is invalid as a witness for his wife, since he is related.

Although Rava says that we accept part of the husband's statement, Rava's case is one where we accept the whole statement for one person, while rejecting it for another one. In this case, however, we are accepting the same statement for the same person, but for only one time period, while rejecting it for another time period. In this case, one opinion holds that we may not split the statement's acceptance, and still be consistent with Rava. (134a - 134b)

### INSIGHTS TO THE DAF

#### ***What did the Father Intend?***

The *Gemora* tells the story of Yonasan ben Uziel, who received the property of a man who did not wish to have his children receive it. The *Gemora* explains that Shammai felt that this gift was similar to the gift of Bais Choron, which was conditional on the recipient fulfilling the intent of the giver.

The Rashbam learns that the intent in this case was for the man's children *not* to receive the property. Shammai therefore protested when Yonasan ben Uziel gave some of the property to them.

Tosfos (133b Ba) learns that the intent was for the children to receive the property, and the gift was for the man to avoid giving them the property directly, since he had sworn that

they may not receive benefit from him. Shammai therefore felt this was the same as the case of Bais Choron, and further thought that Yonasan ben Uziel gave all the property to the children. Just as in the case of Bais Choron, the Sages ruled that a gift given only to circumvent an oath, and not allowing the recipient to consecrate it, is invalid, so Shammai felt that the gift was invalid. Yonasan ben Uziel explained that the father gave him the property as a full gift, and he actually did first sell and consecrate part of it.

The Ritva says that he specifically first sold and consecrated part of it, to ensure that the father meant it as a full gift, as indicated by his not protesting. The gift was thus an unconditional gift, so Yonasan could also give part of it back to the children, and avoid transgressing the oath.

#### ***My Brother?***

The *Mishna* says that if one (e.g., Levi) claims that someone (e.g., Yehudah) is his brother, the doubtful brother only splits with the brother who made the claim, but not with the others.

The Rashbam explains that vis a vis Levi, we view the estates as split among all the brothers, including Yehudah, reducing Levi's share appropriately. For example, if there are two other brothers (e.g., Reuven and Shimon), none of whom are first born, the estate will be split in the following manner: Reuven and Shimon claim there are three brothers, so they each get 1/3, which takes up 2/3 of the estate.

Levi and Yehudah claim there are four brothers. Levi therefore only collects 1/4. At this point, 11/12 of the estate are taken. The last 1/12 is given to Yehudah. Although he claims he should be getting 1/4, the other 2/12 would come from Reuven and Shimon, who do not accept his claim of being a brother. Levi can therefore tell Yehudah to discuss the remainder of his share with Reuven and Shimon.

Rabbeinu Gershom, however, says that Levi, by claiming



that Yehudah is a brother, must split his whole share equally with Yehudah. Therefore, Reuven and Shimon each get 1/3, while Levi and Yehudah each get 1/6. If Yehudah proves to Reuven and Shimon that he is a brother, he will succeed in collecting 1/12 from each. In that case, he must give half of what he collects to Levi, who gave of his share to Yehudah, to compensate for Reuven and Shimon not agreeing to accept Yehudah as a brother.

### ***A Son, for Inheritance***

The *Gemora* says that it is obvious that a man can identify his son regarding inheritance, and therefore the *Mishna* is teaching us about *yibum*. The Rashbam says that although we learned from a verse that a man may identify one of his sons as a *bechor*, indicating that this is not an obvious concept, that is true when we knew the son to be his son, but not a *bechor*. In that case, the Torah tells us that the man has full power to identify a *bechor*, even regarding property which he otherwise would not be able to give to the son. However, in the *Mishna*, where we do not even know this person to be his son, the man has no special reliability. Therefore, all the *Mishna* is stating is that the man has the power to identify his son, only regarding property which he could otherwise give to him – i.e., present property, or future property that he will have until he is too frail to give it, according to Rabbi Meir, who allows for a gift of future property. That statement is indeed obvious, so the *Mishna* must be teaching us about *yibum*.

The Rashba and Ritva, however, understand the earlier verse that allows a man to identify his *bechor*, to allow a man to identify *anyone* as his son, even if we have no prior knowledge of a relationship. Therefore, the *Mishna* is empowering a man to identify someone as his son regarding inheritance, with no qualifications. When the *Gemora* says that this is obvious, the *Gemora* means it is obvious *because* we already know this from the verse cited earlier.

## **DAILY MASHAL**

### **The use of *geimatria***

Our *sugya* remarks that Raban Yochanan ben Zakai mastered all the secrets of the Torah, including *geimatriaos*, the numerical values of significant words. As a whole, the Torah is generally interpreted in any of four ways, corresponding to the letters of *pardes* (“an orchard”): *pei* stands for *peshat*, the simple meaning; *reish* for *remez*, the hinted meaning; *dalet* for *derush*, the homiletic interpretation; and *samech* for *sod*, the secret Kabbalistic meaning. *Geimatriaos* are *remez* - hinted meanings and include several methods. We may discover hinted meanings according to the numerical values of letters or by using the *AT BaSH* (*alef-tav/beis-shin*) method, where *alef* – the first letter in the alphabet – replaces *tav* – the last, *beis* replaces *shin*, etc. and vice-versa. A well-known example of *geimatria* appears in Nazir 5a: A person who vows to be a *nazir* (neither cutting his hair, nor drinking wine, nor becoming ritually impure, etc.) without specifying for what period, is bound to keep his vow for 30 days as the verse says “holy will he be (*yihyeh*)” (Bemidbar 6:5) and the letters of *yihyeh* equal 30. The Gemara in Shabos 70a says that the number of principle Shabos labors – 39 – is learnt by *geimatria* (see Rashi, *ibid*, s.v. *Devarim*). We even find that a number explicitly mentioned by the Torah is interpreted by *geimatria*: In the War of the Kings Avraham “armed his pupils...318” (Bereishis 14:14) and the Gemara in Nedarim 32a states that his pupils were none other than Eliezer, the letters of whose name equal 318. (In his commentary on the Torah, Rashi cites this *geimatria* as the simple interpretation of the verse; see *Sifsei Chachamim* and *Keli Yakar*, who remark thereon; in our *sugya* Rashbam explains that *geimatriaos* means *notrikon*, the ability to interpret words as initials or divide them into other words, but other commentators remark that our *sugya* lists *geimatria* and *notarikon* separately).

*Geimatria* is one of the 32 methods by which the Torah is interpreted, as listed in the *Beraisa* of Rabbi Eliezer ben Rabbi Yosei HaGelili, printed at the end of most editions of tractate Berachos (p.48b). In contrast to the **Thirteen Methods** by which the Torah is interpreted – appearing in every *sidur* – the 32 methods are not used to determine halachah but only serve as supports or indications for halachos already accepted as being handed down from Moshe at Mount Sinai (Rambam on the Mishnah in Nazir, *ibid*; *Rosh*, *ibid*) or to explain verses or Midrashim. Aside from the *geimatriaos* in the Talmud and Midrashim, commentators throughout the generations have extracted very many interpretations by this method, notably *Rokeach 'al HaTorah* and the commentary of Rabeinu Yaakov, son of the *Rosh*, known as *Ba'al* (author of) *HaTurim* (the monumental halachic compendium). A present-day edition of the latter commentary cites the *Tiferes Shlomo* of Radomsk that the author simply called it *Peirush Ba'al HaTurim* to prevent disdain and to impress people that the commentary was written by a recognized halachic authority.

The *Mordechai* also relies on *geimatria* in his commentary on Berachos, Ch. 8, §192: The Gemara quotes the verse “Thus the Children of Israel will eat their bread, impure among the nations” (Yechezkel 4:13) and stresses that one’s hands must be dried after being washed for eating bread. “Their bread, impure (*lachmam tamei*)”, says the *Mordechai*, has the numerical value of “without drying one’s hands (*belo niguv yadayim*)”! The *Tur* cites the *Mordechai* (O.C. 158) and emphasizes that we may learn therefrom that we can pronounce the blessing *'al netilas yadayim* before drying our hands as drying them is part of the obligation.

A generation ago, the famed Steipler Gaon, HaRav Yaakov Kanievski zt”l, published his huge collection of *geimatriaos* at the end of his *Birkas Peretz* on the Torah. The Gaon showed that an interpretation by our sages or Rashi is often a *geimatria* of the relevant verse. We are told, for instance,

that “the L-rd blessed the seventh day and sanctified it” (Bereishis 2:3) and Rashi comments that “He blessed it with the *mon*” – giving a double portion on Friday mornings – “and sanctified it with the *mon*”, by not causing the people to gather it on Shabos. “And He sanctified it (*vayekadesh oso*)” equals “He blessed it with the *mon* and sanctified it with the *mon*” in *geimatria* + 1 for the words themselves! (This method of *geimatria* is called *'im hakolel* – i.e., + 1, added for the word or words being calculated).

According to *Tosfos Yom Tov* on Avos 3:18, *geimatria* derives from the Greek *geometria* – geometry, or the art of measurement and calculation. Others, though, explain the word as a *notrikon* – i.e., a division into other words. In his list of principles in *Halichos 'Olam*, the *Beis Yosef* offers that *geimatria* may be expanded to mean *gai mituraya*: “a vale from mountains”. Interpreting a verse is like turning mountains into a plain as halachos are sometimes learnt in apparently impossible ways. We find another interesting remark in Rabbi Yehudah HeChasid’s explanation of the verse “...for it is not something empty from you” (Devarim 32:47), the numerical value of whose words add up to *geimatriaos* (679). *Yalkut Me'Am Lo'ez* adds that “for it is not something” in the same verse equals the numerical value of *gematria*: 267.