

Seder Nezikin | Bava Metzia, Daf 69-75
Parashat VaYetzeh | 4-10 Kislev (Dec. 4-10)

Daf 69: רבית לעצוד הצלה מפשיטת רגל – Interest to Rescue One From Bankruptcy

Mattiyahu owned a small grocery store and owed a large sum of money to suppliers. The customers who purchased at Mattiyahu's store were continually late with their payments. Because of this, Mattiyahu lacked the funds to pay his suppliers, and might, God forbid, need to declare bankruptcy.



Mattiyahu's brother, Reuven, thought to himself: If I only had a way to convince wealthy Shimon to give Mattiyahu a loan, everything would work out. Mattiyahu could pay his suppliers and when his customers pay him, he would repay the debt to Shimon.

The problem is that Shimon would request *ribeet*, interest, on this loan. But, is it permissible to suggest Shimon take interest from Reuven, rather than from Mattiyahu?

The Talmud answers yes, since the Torah only forbids payment of *ribeet* from the borrower to the lender. However, a different individual is permitted to pay the lender *ribeet* in order for that person to lend money to the person in need.

Daf 70: מצות בכורה – Mitzvah of the First-Born

The Torah says that the firstborn of kosher species of animals are to be set aside for sacrifices and that it is a mitzvah to give these animals to the kohen.

What does the kohen do with the *bechor*, the firstborn?

- ◆ If the *bechor* is *tamim*, whole and unblemished, it is sacrificed as an offering. The fats are burned on the altar and the meat is eaten by the kohen.
- ◆ If the *bechor* has a *moom*, blemish, it is unacceptable for use as an offering. The kohen ritually butchers it, like a regular animal in the slaughterhouse, and eats the meat.
- ◆ If the animals belong to non-Jews, they are exempt from the mitzvah of *bechora*. These animals are not set aside for offerings and there is no need to give them to the kohen.
- ◆ If the animal belongs, in partnership, to a Jew and a non-Jew, the mitzvah of *bechora* does not apply. The Torah stipulates that the mitzvah applies only to animals that are owned entirely by a Jew.

Today, as the *Beit Hamikdash* no longer exists, we try not to own sacred *bechor* animals— since it is not possible to sacrifice them. Therefore, ranchers sell a percentage of their herd to non-Jews and thus are relieved of the mitzvah of *bechora*.



FROM THE TALMUD
SEDER NEZIKIN
MASECHET BAVA METZIA
daf 72

מן התלמוד:

סדר נזיקין, מסכת בבא מציעא, (דף ע"ב)
"ההוא גברא שמשכין ליה פרדיסא לחבריה,
אכלה תלת שני. אמר ליה: אי מזבנת לה
ניהלי - מוטב, ואי לא - כבישנא לה לשטר
משכנתא ואמינא לקוחה היא בידי"

Translation

פרדיסא ... *Pardesia* Grove
משכנתא ... *Mashkon* Pledge
מזבנת לה ניהלי ... *Mazbinat la nihali* ... Sell to me
ואמינא ... *V'amina* And I say,
I claim
תלת שני ... *T'lat shani* Three years
כבישנא לה לשטר ... *Kavishna la l'shtar* ... I will bury,
I will hide the deed

Explanation

A man borrowed money from his fellow and gave the lender his grove as collateral. After three years, the lender asked the borrower to sell the grove to him. If he would not, the lender threatened to hide the deed of pledge, and claim that the grove belonged to him, by virtue of a three-year *chazaka*, 'stronghold' (legal acquisition by right of possession).



Daf 71: עניי עירך קודמים – The Poor of Your City Take Precedence

A person may be asked to donate a specific sum of money to *tzedaka*, but thinks: **There are so many needy organizations and people, to whom should I give my donation?**



This question could apply to a loan as well. If a person has a certain sum of money available and wants to do a *mitzvah* using the cash to extend a loan to a needy individual, **to whom should s/he loan money first?**

On this daf, we learn that if there is someone in a person's family who needs *tzedaka* or a loan, that person must be cared for first. If there isn't a family member in need, one must first give or lend money to the poor of the city in which one lives. These poor people take precedence over people who live in other cities.

This *halacha* is called: “Aniyay ircha kodmim,” the poor of your city take precedence.

Daf 72: רבית לנכרי שיהתגייר – Charging Interest to a Non-Jew who later Converts

The prohibition of charging interest refers only to loans conducted between two Jews. According to the Torah, a Jew is permitted to loan money to a non-Jew with interest. Likewise, a Jew is permitted to borrow money from a non-Jew with interest.



What would be the ruling in a case where a non-Jew loaned money to a Jew with interest, and after some time, the non-Jew converts? Is it permissible for the convert to collect the interest?

According to the Talmud, taking interest would thus be forbidden, since the convert is now a Jew.

However, there is a case in which a convert is permitted to collect interest. If, some time before that person converted s/he lent money to a Jew with interest, and when the time came to repay the loan and the interest the Jew said: “Look, I do not have funds to pay you now, I will write a promissory note for the debt and the interest together, and in the future I will repay the debt with interest to you.” And that was what they did. Later, after that individual converted, the former non-Jew is permitted to collect the interest as well, since now the money is not considered interest, but rather an outstanding debt.

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Diabetes is a disease in which the body is not able to regulate sugar properly. People with diabetes must test their glucose (sugar) levels very frequently. This is accomplished by using a special glucose meter.

Every 19 seconds, someone is diagnosed with diabetes. Every 19 seconds, someone purchases a smartphone. DarioHealth thought to combine these two facts and developed a glucose monitor that would attach to a smartphone. Their device, combined with a free app, is designed to make glucose monitoring much easier. Their monitor, designed by Tiko Product Design Studio in Tel Aviv, holds all the parts necessary for the blood test and connects to a headphone jack.

The device and monitor are able to take real-time blood glucose measurements, record the information, alert abnormal readings, track physical activity, carbohydrate and insulin intake. The app can even be set to six different languages!

Thank you, Israel technology whizzes, for making a difficult disease easier to handle on a daily basis!



Photos: mydario.com



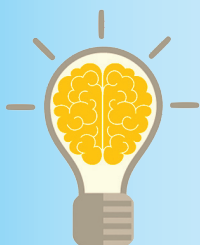
Daf 73: הַאֲמוֹרָא אֲבַי – The Amora Abaye

The Amora Abaye was orphaned as an infant. His father, named Kaylil the Kohen, died before Abaye was born and his mother passed away shortly after his birth. **Rabbah (bar Nachmani), Kaylil's brother (Abaye's uncle) took the infant under his wing and called him "Nachmani", after the baby's grandfather, father of Rabbah and Kaylil.** Abaye was raised by a nanny. Abaye was accustomed to calling the nanny "mother." Several of Abaye's teachings in the Talmud begin by saying: "My mother told me," and this referred to the nanny who raised him.

Although his given name was Nachmani, people generally called him "Abaye." Rav Sherira Gaon wrote that Rabbah did not want his nephew to be known by the name "Nachmani", after his father, and so Rabbah renamed him Abaye, from the word "Abba" (father). In this way, Rabbah honored his father. Some say the nickname was an acronym of the phrase "**Asher Be'cha Yerucham Yatom.**" Rabbah was also among the teachers of Abaye. There are a few times in the Talmud where Rabbah is recorded saying something in front of Abaye and a moment afterward, stating the opposite. He did this in order to sharpen Abaye's mind, so he would get accustomed to thinking quickly and questioning any inconsistencies.

Daf 74: אֲבַי, בַּעַל הַמֶּחֱ – Abaye, Master of the Brain

Abaye suffered from several diseases over the course of his life. Nevertheless, he conscientiously persisted in his learning. All day, Abaye sat and studied Torah and would only make time to irrigate his fields at night. Such was his life, until one of his students asked permission to water the fields in Abaye's place— and in return, in the time that was freed up, the student could learn Torah from him. Even as a youth, Abaye exuded wisdom. Abaye's teacher testified he would be a great Torah scholar, with sharp intelligence. **Rav Dimi regularly called him "karkafta", 'head' in Aramaic, connoting that he was a 'Master of the Brain.'**



After Rav Yosef died, the position of Rosh Yeshiva in Pumbedita remained open. Four Amoraim of that time were worthy to fill the Rosh Yeshiva position — among them, were Abaye and Rava. The four agreed that each one would state a *halacha* and the one whose words posed no difficulty or inconsistency, would become Rosh Yeshiva. In the end, some difficulty was found with each contender, except for the words of Abaye, **who was then appointed Rosh Yeshiva.** Abaye served as Rosh Yeshiva of Pumbedita for 13 years. His life was not long, as he died at the age of 60. **Abaye, was nonetheless, among the most widely quoted Amoraim in the Talmud — quoted more than 1,700 times!** The Talmud records that when Abaye died, the dome of the bridge on the *Diglat*, the Tigris River, shattered. This was a heavenly sign that the river shared in grief over the death of the righteous man.

★ | This Week in Jewish History

On the 10th of Kislev in 1977, Egyptian President Anwar Sadat addressed the Knesset (Israeli Parliament) in Jerusalem, the first time an Arab head-of-state did so. This was a particularly meaningful event as Sadat, who served as President of Egypt for 11 years until his assassination, and had also led Egypt during the Yom Kippur War (1973). Nearly 2,700 Israeli soldiers were killed in that conflict, which lasted longer than any previous Arab-Israeli war.

Sadat became a hero in much of the Arab world because of the Yom Kippur War but only a few years later, Sadat came to Israel, a visit which paved the way for a peace treaty between the two countries. President Sadat and Prime Minister Begin were jointly awarded the Nobel Peace Prize in 1978 for their efforts. The two leaders continued to work on peace between their nations until a final agreement was signed in March 1979.



Egyptian President Anwar Sadat, standing at Lod Airport between Israeli Prime Minister Menachem Begin and Israeli President Ephraim Katzir on November 19, 1977. Photo: historycentral.com



Daf 75: "רִבִּית דְּבָרִים" – Interest Through Words

On this final *daf* in perek "*Eize'hu Neshech*," we learn about more of the laws concerning the prohibition of charging interest, specifically "*Ribeet Dvarim*," interest through words. Rabbi Shimon bar Yochai said: A person who borrows money and then encounters the person who lent to them, is forbidden to say "hello" first. Why?

Rabbi Shimon bar Yochai is referring to a person who is not friendly with the lender and would never otherwise be the first to say "hello." Now, because the lender provided the loan, the borrower wants to acknowledge the good deed and at least greet the lender first. Here, saying hello is like *ribeet*, interest.

While the borrower is not paying additional money in exchange for receiving the loan, the borrower is giving a kindness. Even actions of this kind are prohibited.

This type of *ribeet* is called "*Ribeet Dvarim*," i.e., the borrower pays in words, in return for the loan. *Ribeet Dvarim* is not an *Issur d'Oraita* (Torah prohibition), but rather merely an *Issur d'Rabbanan* (Rabbinic prohibition).

| Dvar Torah for the Shabbat Table

At the beginning of the *parasha*, when Yaakov is on his way to Haran, he dreams about a ladder on which God's angels are ascending and descending: "**And he had a dream, in which there was a ladder resting on the earth, with its top rung reaching to the heavens and the angels of God were ascending and descending on it.**"

After 20 years living in Lavan's house, before he returned to his land, Yaakov dreams about the rams and lambs in the flock he shepherds: "I lifted my eyes and saw, in the dream the rams mating with the sheep were striped, speckled, and spotted."

Commentators on this verse said that **Yaakov's first dream, when he had nothing, was about spiritual matters; whereas his second dream focused on the material wealth.** When Yaakov saw that materialistic concerns were coming to dominate his life, even entering in his dreams at night, he understood he needed to leave the materially oriented *galut*, and quickly return, with all his children to *Eretz Yisrael*. He needed to live a life that combines action, work, farming -- everything needed to live a sensible life -- as well as a spiritual life of Torah study and serving God.



QUESTIONS OF THE WEEK

All answers can be found in this Daf Yomi booklet

1. In which instances does the principle "*Anee'yay ircha kodmim*" apply?
2. What was the connection between Rabbah and Abaye?
3. What words make up the acronym Abaye?

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