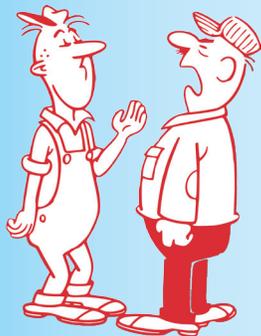


דף 33: שבועת העדות – Testimony Of A Witness



Reuven sued Shimon and claimed before the *dayanim* (judges) that Shimon shattered his car mirror. The *dayanim* called for Shimon, who claimed: “*Lo hayah v’lo nivrah*” (Never happened, I did nothing of the kind). Reuven replied: “I have *eidim* (witnesses) who saw Shimon shatter my mirror!” When the *dayanim* questioned the *eidim* they said: “We never saw anything. We have no idea what Reuven is talking about.”

In such a case, the Torah allows Reuven to demand that the two purported witnesses take a *shevuah* (oath) that they are unable to testify (since they claim they did not see anything). Naturally, an upright, virtuous person would not utter a false *shevuah*. Accordingly, if the witnesses had relevant testimony to offer, they would do so and thereby exempt themselves from having to take a *shevuah*.



דף 34: על פי שניים עדים – According To Two Witnesses

The sage *Shimon Ben Shetach* saw one man with malicious intent chasing after another man. The fellow disappeared into a ruined building and the man in pursuit followed into the structure. *Shimon Ben Shetach* ran into the ruin and saw that the pursuer held a sword in his hand that was dripping blood. The man he had pursued was dead on the floor. It was obvious that the man holding the bloody sword had killed the other man.

Shimon Ben Shetach said to the man: “Wicked one, who killed this person? It was either you, or me since there is no one else here. But what can I do? I have no jurisdiction to prosecute you in a *Din Torah* and rule you are liable for *mitah* (capital punishment), because the Torah states in *Sefer Devarim*: ‘*Al pi shnayim eidim oh shlosha eidim yumat ha’met, lo yumat al eid echad*’ (on the basis of two witnesses or three witnesses shall a person who is liable for execution be put to death, he shall **not** be put to death on the basis of one witness). It is impossible to charge a person with the death penalty based solely on the testimony of one witness. “Therefore, Hashem will exact retribution and punish individuals like you.” Legend has it that *Shimon Ben Shetach* did not move from that spot until a snake came and fatally bit the murderer.



FROM THE TALMUD
SEDER NEZIKIN
MASECHET SHEVUOT
daf 35

מן התלמוד:

סדר נזיקין, מסכת שבועות, דף ל"ה:

”כל שמות האמורים בגבעת בנימין, רבי אליעזר אומר חול, רבי יהושע אומר קודש“.

Translation

חול Chol Profane
קודש Kodesh Holy

Explanation

The *Chachamim* disagree whether the name “*Elokim*” that appears in *Sefer Shoftim* (the Book of Judges), in the description of the battle on *Givat Binyamin*, refers to God and is sacred, or if it refers to idolatry, and is profane.

Talmud Israeli – Daf Yomi for US

Thank you for helping us exceed goals for 2017! Talmud Israeli will continue to provide our weekly publication free-of-charge in 2018 in thanks to our generous sponsors. We are now ready to expand into more English-speaking communities. Please contact us if you know of anyone interested in joining the Talmud Israeli family!



Daf 35: קְדֻשַׁת שֵׁם ה' – The Sanctity Of God's Name



On this *daf* we learn it is strictly prohibited to erase one of the names of Hashem. Names of Hashem are written in various places: Torah scrolls, *chumashim*, *siddurim*, and sometimes on a *parochet* (an ornamental curtain covering the front of the holy ark in the synagogue). There are even some places where it is customary to write the name of the Hashem on a wall in the *Beit Knesset* (synagogue). In light of this *minhag* (custom), *poskim* (halachic adjudicators) were asked whether it is permissible, and if so, how one might whitewash over a *Beit Knesset* wall that has God's name imprinted on it — or, if such repainting is strictly prohibited.

We learn in the Talmud that some rabbinic authorities maintained that the sanctity of God's name is not merely limited to the name itself, but also extends to "*nitpalin*" (iterations, or suffixes).

What are "*nitpalin*"? *Nitpalin* are letters that are added in writing to the end of the name of Hashem. For example: "*Eloke**ichem***." Those final letters are not part of God's name, however, since they were joined into one word, they are also considered holy and may not be erased.

Daf 36: מִדּוֹעַ אֶסּוּר לְבַנּוֹת אֶת יְרִיחוֹ? – Why Is It Prohibited To Build In Jericho?



The Talmud references several *shevuot* (oaths) recorded in the Tanach. Here are two examples: *Yehoshua Bin Nun* administered an oath to *B'nai Yisrael* (*Sefer Yehoshua* 6:26) — "Cursed before God be the man that rises up and builds this city, Jericho." Rambam explains that *Yehoshua* administered this *shevuah* to the people so that every generation would be able to see the great miracle of the city's wall sunken

into the ground. After the wall sank, *B'nai Yisrael* encircled it, as God had instructed, and they sounded shofars. If the city were to be rebuilt, no one would be able to discern and acknowledge that a miracle had occurred.

King *Tzidkiyahu* rose to the throne at the age of 21 and took an oath to King *Nevuchadnezzar* that he would not revolt against him. After *Tzidkiyahu* and the leaders of the nation sinned against *HaShem*, God sent in the enemy. They killed young men and elders. They robbed the treasuries of *HaShem's* house and the king's treasures, taking the spoils back to Babylonia. Enemy forces exiled the surviving remnant of the Jews to Babylonia to serve there as slaves. That is how the First *Beit HaMikdash* was destroyed.

★ | Israeli History

ISRAEL@ שנה למדינת ישראל

70

תשל"ב/1972

MURDER OF THE ISRAELI ATHLETES AT THE MUNICH OLYMPICS

In the 1972, an Israeli delegation of athletes was to participate in the Games of the 20th Olympiad in Munich, West Germany. In a planned attack, a group of Arab terrorists from the Black September organization, took members of the Israeli delegation hostage, and held them in the Olympic Village for about 19 hours. Two of the members of the delegation were killed during the initial terrorist attack, and nine others were killed during an unsuccessful rescue attempt by Bavarian police, at an airport near the city. In total, eleven Israeli athletes, trainers and judges were murdered. The massacre shocked the Israeli public, and in its wake, the Mossad launched "Operation Wrath of God," during which most of those responsible for the massacre were assassinated.

תשל"ב/1972

VICTIMS OF THE MUNICH MASSACRE • 1972



Daf 37: רב פפא – Rav Pappa



Rav Pappa lived during the 5th generation of Babylonian *Amoraim* and was a *talmid muvhak* (principle student) of *Abaye* and *Rava*, though he also learned from *Rav Idi Bar Abin*, in a small town on the banks of the Tigris. After *Rava* died, *Rav Pappa* moved to *Neresh*, near the city of *Sura*. Following the passing of *Rav Nachman Bar Yitzchak*, the generational elder, leadership of the generation was passed to *Rav Pappa* and to *Rav Huna* son of *Rav Yehoshua*, who were both the students of *Rava* and *Abaye*. As a result, *Neresh* became a great spiritual center.

In the days of *Rav Pappa*, the yeshiva in *Neresh* was exceptionally famous, with hundreds of students flocking there to study. *Rav Pappa* was exceedingly wealthy. He made his living as a brewer and he supported 200 students at his table.

Daf 38: "שְׁבוּעַת הַפְּקֻדוֹן" – An Oath On A Deposit

This *perek* (chapter) deals with the *Shevuat Pikadon* (oath on a deposit).

A *shomer* (custodian) says to the person who gave him an item to watch over: "I took good care of your item, but thieves came here, under the cover of darkness, and stole it. I am sorry. I slept like a rock, and I did not hear them at all. However, I am exempt from paying you back anything, since a *Shomer Chinam* (unpaid custodian), is only responsible for paying back damages if s/he was negligent with the item under his/her care." Indeed, it is correct that a *Shomer Chinam* is generally exempt from repaying damages, though the Torah stipulates that the *Shomer* must take an oath in court swearing that their claim of having appropriately guarded the object was, in fact, true.

This *shevuah* is known as "*Shevuat Pikadon*" (oath on a deposit). Let us suppose that the *shomer* was negligent and stole the item for himself. Yet he made a *Shevuat Sheker* (false oath). When the *shomer* seeks to repent, he must immediately return the stolen item to the person who left it under his care. In addition, the Torah mandates a rite of atonement:



- a. Pay the depositor an additional 1/5 of the value of the object.
- b. Bring a *korban asham* (guilt offering) to atone for taking a *Shevuat Sheker*.

Made In Israel

Iron Dome

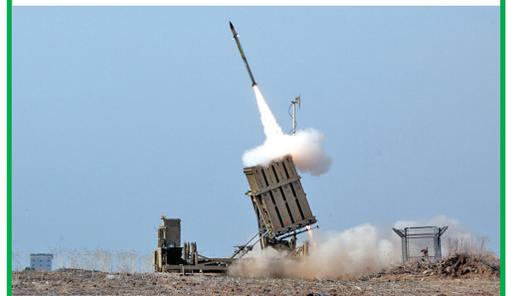
Rafael Advanced Defense Systems (2011)

Throughout Israel's almost-70-year history, Israelis have been the target of terror attacks. Over the past seven decades, Israel has advanced its defense systems to try to keep Israelis as safe as possible.

Iron Dome, *Kippat Barzel* in Hebrew, is an air-defense system designed to intercept and destroy rockets and artillery shells. The Iron Dome system is mobile and can be positioned in locations deemed necessary. The system calculates the projectile en route to determine whether it could result in loss of life or serious injuries or damage. Intercept success rate of an incoming projectile is 90%.

In July 2014, during the 50 days of Operation Protective Edge, Iron Dome intercepted rockets and mortars that were fired towards Israel from Gaza. The missiles were aimed towards southern, central, and northern Israel. Only about 70 of the thousands of projectiles fired, landed in Israel.

Thank you Israeli military experts and engineers for developing a system that keeps Israel safe!

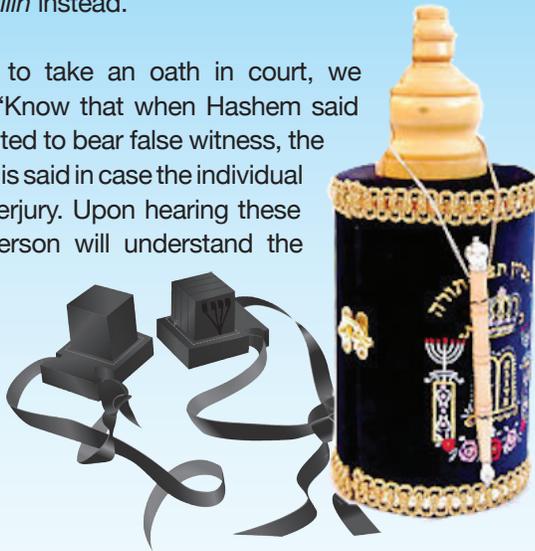


A missile from the Israeli Iron Dome, launched during the Operation Pillar of Defense to intercept a missile coming from the Gaza strip. Photo source: Wikipedia/IDF & Nehemiya Gershoni

Daf 39: חֲמַרַּת הַשְּׁבוּעָה – The Gravity Of An Oath

When the *dayanim* (judges) administer a *shevuah* (oath) to an individual, that individual is required to hold a *Sefer Torah* while taking the *shevuah*. This is done so that people will be dissuaded from speaking falsely since they fear telling a lie when the *Sefer Torah* is in their hands. However, a *talmid chacham* who takes an *shevuah* is not required to hold a *Sefer Torah*, because given that individual's reputation, it is sufficient for the *talmid chacham* to hold *tefillin* instead.

When a person is about to take an oath in court, we admonish that individual: "Know that when Hashem said at *Har Sinai* that it is prohibited to bear false witness, the entire world trembled." This is said in case the individual had intended to commit perjury. Upon hearing these words of warning, that person will understand the gravity of violating so severe a prohibition and drop any plans of saying an untruth.



QUESTIONS OF THE WEEK
All answers can be found in this Daf Yomi booklet

1. What is a "Shevuat Pikadon"?
Who takes this shevuah and when?
2. Why was Shimon Ben Shetach unable to prosecute the *rotze'ach* in a *Din Torah*?
3. Who were the two *gedolei hador* among the students of Rav Papa?

Please email answers to questions to answers@talmudisraeli.co.il for a chance to win an iPad mini!

Dvar Torah for the Shabbat Table

“ וַיִּגְדַּל הַיֶּלֶד
וַתְּבֹאֶהוּ לְבֵת פַּרְעֹה
וַיְהִי לָהּ לְבֵן
וַתִּקְרָא שְׁמוֹ מֹשֶׁה וַתֹּאמֶר
כִּי מִן הַמַּיִם מְשִׁיתָהוּ.”

Bat Pharaoh (Pharaoh's daughter) gives the name *Moshe* to the Jewish baby she found on the Nile, as it is said, "When the child grew up, she [*Yocheved*, *Moshe's* mother] brought him to *Pharaoh's* daughter who took him to be her son. She named him *Moshe*, explaining, 'I drew him out of the water.'" *Chazal* question the reasoning behind *Bat Pharaoh's* explanation for *Moshe's* name. If her stated explanation is accurate, the *pasuk* (verse) should have read "*Mashu'i*" (one who was drawn from the water) and not "*Moshe*" (I have drawn from the water), since *Moshe* was the one who was removed from the basket.

Seforno's answer suggests that the name *Moshe* was given to him by *Pharaoh's* daughter, not in explanation of the action she performed, but because of what *Moses* would later do in his life as a leader. He will have to draw the people out of *Egypt* and save them from distress. For that reason, he was called "*Moshe*" - that he will save the people from their troubles. The *Seforno* adds: Although *Moshe* was drawn from the water after having been put there as a result of *Pharaoh's* decree, he was actually destined to rescue others..."

