

Seder Nezikin | Bava Batra 161-167 | Shabbat Parashat Balak | 8-14 Tammuz (July 2-8)

Daf 161: גֵּט פְּשׁוּט – An Ordinary Document



A “Get Pashut” is an ordinary document. Today, a “get” commonly refers to a divorce document. But the *Ba’alei HaTosafot* (medieval Talmudic commentators) explain that in the language of *Chazal*, other types of documents, e.g., promissory notes, are referred to as “gittin” (plural of *get*).

What constitutes a “Get Pashut”? Is there a document that is not considered “ordinary”? For example, there is a type of document, which during the course of it being written is folded and the ends sewn closed. In contrast, a regular document is written and the witnesses sign, as usual, on one side of the paper.

There were *Amoraim* who, when asked to sign as witnesses on a document, would write a special symbol instead of signing their names. For example: Rav would draw a picture of a fish; Rabbi Hanina drew an image of a palm tree; Rava Bar Rav Huna drew the sail of a ship. Even though they did not write their names, these drawings served as a signature since everyone recognized the images.

Daf 162: תְּקִנָּה לְמִנִּיעַת שְׁקָרִים בְּשִׁטְרוֹת – A Regulation to Prevent Lying on Documents

A *shtar chov* (promissory note) is invalid when it is possible to forge or add items into it. A document would be invalid if the upper portion contained the details of the sale of a field while the lower portion had the signatures of witnesses, yet a large empty space remained in between where something could have been added after the document had been signed. The buyer could add that after three years the seller must refund half of the payment and other such requirements. The *Beit Din* would have no choice but to believe the buyer, since the witnesses’ signatures remain on the bottom of the document.



To prevent such complications, *Chazal* ruled: if there is a space of two lines between the provisions/ contents and the signatures of the witnesses — the document is invalid. If there is one line of empty space, the document remains valid because it is very hard for the witnesses to be accurate and write their

signatures so close to the body of the document. You may ask, wouldn’t a swindler write whatever s/he wants in the last line before the signatures? As a precaution, *Chazal* stipulated that the last line is to be ignored.



FROM THE TALMUD
SEDER NEZIKIN
MASECHET BAVA BATRA
daf 166

מִן הַתְּלֻמוּד:
סֵדֶר נִזְקִין, מִסֵּכֶת בָּבָא בִּתְרָא, דָּף קס"ו:
”תְּנוּ רַבָּנֵינוּ: יִלְמַד הַתַּחְתּוֹן מִן הָעֲלִיוֹן
בְּאוֹת אַחַת, אֲבָל לֹא בִשְׁתֵּי אוֹתוֹת,
כְּגוֹן חֲנוּן מִחֲנָנִי וְעֵנָן מִעֲנָנִי.”

Translation

פְּלִגְיָה ... *Palgei* Half
מִיתַרְמֵי ... *Mitarmei* ... Happened on occasion

Explanation

If there is a document or divorce certificate, in which one letter is erased from the one word in the lower part of the document, it is possible to learn what that letter was based on what is written in the upper part of the document. However, if more than one letter was erased, it is impossible to ascertain what it was based on what is written above.

Talmud Israeli–Daf Yomi for US

is now available in North America in English! Tens of thousands of copies of Talmud Israeli are distributed weekly across Israel – in schools, synagogues, and communities – earning widespread support and approval from Israel’s Ministry of Education. This hugely successful project combines Talmud study with Israel, modern Jewish history and Torah. Talmud Israeli brings the teachings of our sages, combined with a modern look at Jewish history to learners of all ages and levels. Over the past few months, Daf Yomi for US has been customized for an American audience and is thrilled to offer this program to educators. **Please contact us to sign up for Talmud Israeli!**



📌 Daf 163: הָעִיסוּק בְּצָרְכֵי צִיבוּר בְּאִמוּנָה – Faithfully Engaging in the Needs of the Public

In the Babylonian Talmud, many *Amoraic* statements and *halachot* are mentioned as having been sent from *Eretz Yisrael*. When *talmidei chachachim* in Babylonia learned such teachings, they would say: “*Shalchu mi'tam*” (sent from there, i.e., *Eretz Yisrael*). In *Masechet Sanhedrin*, it says that the source of all these word-of-mouth teachings is Rabbi Elazar. In one such teaching, Rabbi Elazar stated that it is preferable to engage in Torah study with a group of people because when many people learn together the words are clarified best.

Rabbi Elazar was appointed to the position of “*Parnas*” (responsible for providing for the needy from charitable funds.) The Talmud Yerushalmi tells us that on one occasion, Rabbi Elazar became aware that after the needy ate and drank the meal he had prepared for them, they cursed and verbally abused him. Instead of being disappointed, Rabbi Eliezer was happy. This is what he said: “Now I know I will eventually receive a goodly reward for my efforts, since I did not receive any wages from my fellow man, rather only curses and abuse.” The Talmud shares this story to teach that if a person does a good deed and receives only curses and abuse in return, s/he must not despair — on the contrary, this ensures an even greater payment later on. When Rabbi Yochanan died, Rabbi Elazar was appointed as his replacement to head the *Yeshiva* in Tiberias. Unfortunately, Rabbi Elazar only had the privilege of serving in this position for a short period; he died just a few months after Rabbi Yochanan’s passing.



📌 Daf 164: לְשׁוֹן הָרַע – Malicious Speech

Rabbi Yehudah HaNasi, organizer/editor of the *Mishnah* had several sons who were *talmidei chachamim*. On this *daf* the Talmud relays two incidents involving his son, Rabbi Shimon. A document was brought to Rabbi Yehudah HaNasi that he thought was not written properly. For some reason, Rabbi Yehudah HaNasi (also referred to in the Talmud simply as “Rabbi”) assumed the document had been written by his son, Rabbi Shimon and, therefore, he looked at his son disapprovingly. But Rabbi Shimon told his father that he had not written it, but rather someone named Rabbi Yehudah Hayyata had done so. Rabbi responded, “Distance yourself from *lashon hara* (malicious speech).” Rabbi Yehudah HaNasi meant to say, “*You should only have told me you did not write the document. Why did you need to tell me who wrote the deficient document?*” At another time, Rabbi Shimon sat with Rabbi Yehudah HaNasi learning Psalms. Rabbi looked into the book and praised how straight the lines of print had been written. Rabbi Shimon replied, “I did not write this book. It was Rabbi Yehudah Hayyata who wrote it.” Again Rabbi responded, “Distance yourself from *lashon hara*.” Why? Because overpraising might lead to saying words of *lashon hara* — since when highly praising someone, it is normal to add afterward: However, he is not so exceptional, or he does not behave properly regarding such and such. Therefore, one should only give praise in a moderate, tempered manner, without going overboard. Though in front of a person’s friends, it is permissible to exuberantly praise him/her.



📌 On The Map Of Jerusalem

Yad Vashem

Yad Vashem is Israel’s official memorial of the *Shoah* – the Holocaust. It is dedicated to those who perished, those who fought back against the Nazis and those non-Jews who endangered their own lives to save Jews.

Though the idea to establish *Yad Vashem* – The World Holocaust Remembrance Center, emerged even before World War II ended, it was not until 1953 that the Knesset passed the *Yad Vashem* law, establishing the Martyrs' and Heroes' Remembrance Authority. The first building was built on the Western side of Mount Herzl. The museum opened its doors to the public in 1957. *Yad Vashem*’s main focuses are education, research and documentation, and, of course, commemoration of the Holocaust.

A completely new museum, designed by Moshe Safdie, opened in 2005. Leaders from 40 countries were present at the museum’s dedication. Over 1 million people visit *Yad Vashem* each year.



Yad Vashem Hall of Names.
Photo Source: Wikipedia/David Shankbone 2007



Daf 165: אַבְק לְשׁוֹן הָרַע – A Hint of Malicious Speech

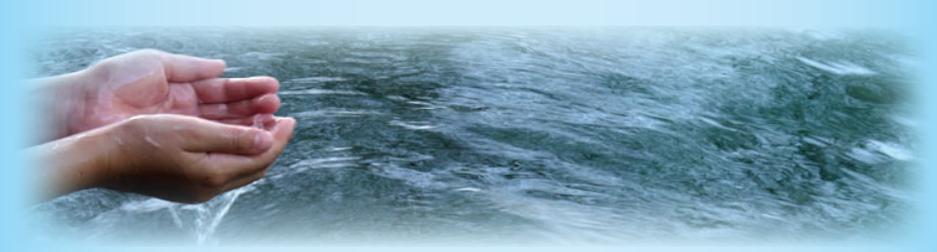
In the Talmud, *Chazal* state there is one prohibition from which people are generally not spared: *avak lashon hara*, “the hint of malicious speech.” *Avak lashon hara* is a story told without any bad intention but might be interpreted in a negative way.

Rashbam gives an example: if a person says, “There is smoke rising from the chimney of so-and-so’s home every day” — these words do not appear to be *lashon hara*. However, it might be understood that excessive cooking is done in that home for overindulgent parties and therefore smoke rises from the chimney every single day. If this is the case, we can see there are times that completely innocent words can be considered to possess *avak lashon hara*. It is very difficult to guard yourself against violating this prohibition. However, the Chofetz Chaim states that someone who decides to be careful and conscientious in this matter is guaranteed to succeed.



Daf 166: הַקָּרְבָּן הַמְטֵהָר – A Cleansing Sacrifice

What must an impure person do to become pure again? That individual must immerse in a *mikveh* (ritual bath). However, there are some impurities for which simply immersing in a *mikveh* is not enough and other actions are required. For example, a *metzora*. After immersing in a *mikveh*, a *metzora* is sufficiently pure to eat regular food and even to eat *terumah* (the priestly emolument on produce). However, until the *metzora* brings a *korban* (offering), they are prohibited from entering the *Beit HaMikdash* and eating sacrificial meat. This category of impure individual is called “*mechusrei kapara*” (lacking atonement), since in order to be fully purified these individuals are required to offer a *korban* to atone. What is the ruling if the *mechusar kapara* says: “It is fine with me to remain impure”? Is that individual required to offer a *korban*? The answer is that they *are* required, since this *korban* is mandated by Torah law and must be offered regardless of the individual’s interest in purification.



Made in Jerusalem

Teva Pharmaceutical Industries, Ltd.

In 1935, a few years before the Holocaust began, Zionist pharmacist Dr. Gunter Friedlander, established a pharmaceutical plant in Jerusalem called *Teva*, which means nature in Hebrew. When he was only 21 years old, Friedlander wrote, “We aspire to assist human nature by means produced from Nature.” By 1951, *Teva* was trading on the Tel Aviv stock market and by 1967, the Jerusalem company was already manufacturing 250 products.

When *Teva* officially merged with *Assia* and *Zori* in 1976, *Teva Pharmaceutical Industries Ltd.* was formed and became Israel’s largest pharmaceutical company. *Teva* continued expanding within Israel, in Europe and America to become a world leader in the pharmaceutical and generic medicine market.

Today, *Teva* provides medicines to over 200 million people around the world. Their specialty medicines treat diseases of the central nervous system, cancer, respiratory issues and women’s health. Over 45,000 people work for *Teva* around the world. Dr. Gunter Friedlander’s aspirations of assistance with nature, have most definitely come to fruition.

Thank you Israeli scientists working so hard to treat and cure sick people around the world!



Teva Pharmaceuticals, Jerusalem headquarters on Har HaChotzvim. Photo Source: Wikipedia.

**Daf 167: – המוכס הרמאי –
The Deceitful Tax Collector**



Chazal gave good advice: An individual about to sign a blank piece of paper should never do so at the bottom, rather, only at the top of the page. The Talmud tells a story to help understand the matter: Once, a tax collector (appointed by the king), appeared before Abaye. The tax collector said to Abaye, “I would like to exempt *talmidei chachamim* from paying taxes. When a *talmid chacham* will come to me with letter signed by Your Honor stating he should be exempt from taxes — I will exempt him. To that end, please sign this piece of paper, which I will keep with me. That way, I’ll be able to compare the signatures.” Abaye agreed. He took a page and was about to sign, when he noticed that the tax collector was pulling the page, so that the signature would be written at the bottom of the paper. Abaye realized that the man was a fraud. His only intention was to take the signed paper and write various things on the section above the signature, claiming that Abaye had approved them – since Abaye’s signature would be displayed at the bottom. Abaye said to the deceitful tax collector, “You failed! *Chazal* warned us about swindlers like yourself.”

Chazal gave good advice: An individual about to sign a blank piece of paper should never do so at the bottom, rather, only at the top of the page. The Talmud tells a story to help understand the matter: Once, a tax collector (appointed by the king), appeared before Abaye. The tax collector said to Abaye, “I would like to exempt *talmidei chachamim* from paying taxes. When a *talmid chacham* will come to me with letter signed by Your Honor stating he should be exempt from taxes — I will exempt him. To that end, please sign this piece of paper, which I will keep with me. That way, I’ll be able to compare the signatures.” Abaye agreed. He took a page and was about to sign, when he noticed that the tax collector was pulling the page, so that the signature would be written at the bottom of the paper. Abaye realized that the man was a fraud. His only intention was to take the signed paper and write various things on the section above the signature, claiming that Abaye had approved them – since Abaye’s signature would be displayed at the bottom. Abaye said to the deceitful tax collector, “You failed! *Chazal* warned us about swindlers like yourself.”



חוכמת החכמים |

בן עזאי אומר:
מצוה גוררת מצוה. (אבות ד:ב).

הסבר: כאשר האדם מקים מצוה, מתעוררת אגרייה רחנית המשפיעה על האדם לבצע מצוה נוספת.

- | | | |
|-----------------------------|---------------------------|--|
| Spiritual – רחנית | Drags, leads to – גוררת | |
| That influences – המשפיעה | Performs, fulfills – מקים | |
| To perform/implement – לבצע | Awakened – מתעוררת | |

Dvar Torah for the Shabbat Table

When Balak’s messengers came to hire Bilaam to curse Israel, initially he refuses to go with them. He agreed only after God allowed him to do so. “God came to Balaam at night and said to him, “If these men come to call for you, arise and go with them, but the words I will speak to you, that is what you shall say.” But when he set out, God was angry with him and sent an angel to stand in his way.

Why was God angry with Bilaam? Did not God allow Bilaam to go with them?

Ramban explained that Bilaam did not say to Balak’s messengers exactly what God had said to him — that he is permitted to go with them on condition that he is only able to say whatever God will allow him to say — “but the words I will speak to you, that is what you shall say.” They thought God had permitted Bilaam to curse Israel, as they had wanted. Therefore, God sent an angel in to make clear to everyone that though Bilaam was permitted to go with them, he would be unable to say anything other than what God permitted.



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

1. What is “*avak lashon hara*”? Why must one be cautious to avoid it?
2. What regulations did *Chazal*/institute in order to prevent document fraud?

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