

Seder Nezikin | Sanhedrin 49-55 | Shabbat Parashat Ki Tetzeh | 12-18 Elul (3-9 September)

דף 49: "הַבֵּא לְהַרְגֶּךָ – הַשָּׂכֵם לְהַרְגוֹ" – "If someone comes in to kill you, swiftly kill him first"

Haba l'hargo'cha, hash'kem l'hargo — If one's life is endangered by a pursuer, it is permissible to respond with lethal force. This allowance for the use of force even applies when one is not the pursuer's target. However, if it is possible to prevent the pursuer from committing murder by merely wounding him, then one is obligated to do so.

After King Sha'ul died, a battle broke out. One side was those loyal to Avner Ben Ner, who served as King Sha'ul's army chief and those who supported Sha'ul's son, Ish Boshet as Sha'ul's successor to the throne. The other side was those who supported Yoav Ben Tzruya, who had served as King David's military head.

Yoav was victorious and Avner fled. Asael, Yoav's brother, chased after Avner in order to kill him. Avner warned Asael, telling him to stop. However, Asael did not listen. Then, Avner suddenly turned and stabbed Asael with his sword, killing him. Later on, Yoav killed Avner, claiming Avner was a murderer.

Yoav explained, "The nature of the stab wound proved that Avner was an expert, able to precisely land a wound that would inflict maximum effect – death. On account of that expertise, Avner was forbidden to kill. Rather, he should have only injured Asael. Having killed Asael, Avner is rightly deemed a murderer."



דף 50: כִּיבוֹד אָב וְאִם: הַכֶּרֶת הַטּוֹב — Honoring Father & Mother: Recognition of the Good

On this *daf* we learn about the punishments the Torah imposes on an individual who commits severe offenses, among them, one who strikes his/her mother or father.



We learn from the Talmud that the mitzvah of *Kibbud Av v'Em* (honoring one's parents) is considered a very serious matter — so much so, that the Torah uses the same words in obligating honor of parents as it does in commanding one honors God. From that word choice, we are meant to draw a comparison between these two relationships:

Regarding *Kibbud Horim* (honoring parents), the Torah states: "Honor your father and your mother..." (*Shemot* 20:12); concerning God, the book of *Mishlei* (Proverbs 3:9) says: "Honor God with your wealth." *Sefer HaChinuch* (*mitzvah* 33) asserts that the root of the mitzvah of *Kibbud Av v'Em* is an obligation to acknowledge the good they have done, as it is only through parents that one had the privilege of being born. Ingratitude, by contrast, is a loathsome trait. After a person has internalized and understands that s/he is obliged to acknowledge the good done by his/her parents, s/he'll certainly understand his/her obligation to recognize the good done by God, who created him, his parents and the whole world. Thus, the individual will merit being spiritually lifted in the pathways of God and will be granted great reward in the world to come.



FROM THE TALMUD
SEDER NEZIKIN
MASECHET SANHEDRIN
daf 49

מִן הַתְּלִמּוּד:
סדר נזיקין, מסכת סנהדרין, דף מ"ט:

"ויקבר בביתו במדבר אטו ביתו מדבר
הוא? אמר רב יהודה אמר רב: כמדבר,
מה מדבר מופקר לכל - אף ביתו של
יואב מופקר לכל."

Translation

אטו ... *Atu* Do you mean to say?
מופקר ... *Mufkar* Ownerless, open

Explanation

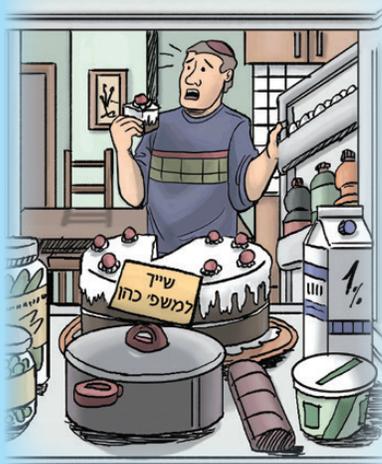
It was said that, upon his death, *Yoav Ben Tzruya* was buried in the desert. The *Gemara* wonders whether the desert had been *Yoav's* home? *Rav* replied, saying that *Yoav's* home was open to all, as if it were desert. He would generously invite guests in, with open arms, and treat them as if it were their home.

TALMUD ISRAELI wishes students, teachers and parents a wonderful new school year – a year of exploration, discovery, hatzlacha and nachat!

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Daf 51: תְּשֻׁלֹּמֵי תְרוּמָה – Payment of Tithes for the Kohen



A man came home and opened his refrigerator. He found a tasty-looking cake and ate it. Later, his wife came home and said: “Oh my! That cake is not even ours! It belongs to the neighbors who asked if we could refrigerate it for them since they don’t have enough space.”

What should he do? Though his mistake was unintentional, he must pay the neighbors the price of the cake he ate.

We learned that a non-kohen who ate *terumah* must pay an additional one-fifth to the kohen beyond value of the food consumed. For example, if a person returns home, sees delicious looking olives and eats four of them.

Later on, if it turns out that the olives s/he consumed were *terumah* belonging to the kohen, that individual is obligated to give five olives to the kohen — because it is written in the Torah the unique laws govern the handling of *terumah* requiring one to pay an additional *chomesh* (one-fifth more).

**Daf 52: "אימורים" ו"חטאת פְּנִימִית" –
Burnt Sacrificial Parts and the Inner Sin-Offering**

What is done with the meat of the offering? For a *korban olah* (burnt offering), the entire animal was offered on the *mizbe'ach* (altar). For other *korbanot* (e.g., sin and peace), only a portion of the animal is burned on the *mizbe'ach*. The remaining portions were eaten by the kohen or by the person bringing the *korban*, depending on the type of *korban* in question. The portions burned on the *mizbe'ach* are called “*imurim*”, from the word “*amira*” (saying), as it says in the Torah to offer them.

On this *daf*, we learn about a type of *korban chatat* (sin offering) whose meat is not eaten, but rather is burned. To which *korban* are we referring? Generally, the blood of a *korban* is sprinkled on the outside of the *mizbe'ach* — *mizbe'ach hanechoshet* (the brass altar), which was located in the courtyard of the *Beit HaMikdash*. However, there are *korbanot chatat*, whose blood was to be sprinkled on the *mizbe'ach p'nimi* (interior altar) — *mizbe'ach ha'ketoret* (the incense altar) — that was located in the *Heichal* (sanctuary) of the *Beit HaMikdash*, in front of the *Kodesh HaKodashim* (Holy of Holies). This type of *korban* is called a “*chatat p'nimit*” (interior sin-offering) and the meat from a *chatat p'nimit* offering is to be burned outside of the camp. When *B'nai Yisrael* were in the desert, they would burn their offerings outside of the Israelite encampment and when these offerings were sacrificed in the *Beit HaMikdash*, the carcass would be burned outside of Jerusalem. One example of a *korban chatat p'nimit* is the bull sacrificed by the *Kohen Gadol* on *Yom Kippur* as he prepares to enter the *Kodesh Kodashim*.

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**תש"ט/1949
7-Branded Menorah Chosen
As Symbol For State of Israel**

תש"ט/1949

After the establishment of the State of Israel, the Committee for the Symbol and the Flag called on the public to submit proposals for an emblem to symbolize the State of Israel. From among the many suggestions, the seven-branched menorah was chosen, in the design crafted by the brothers Gabriel and Maxim Shamir. At its center, the menorah is depicted, as seen in the relief on the Arch of Titus in Rome, which portrays the destruction of Jerusalem and the dispersion of the Jewish people into exile; use of the menorah as the State emblem reflects the return of the people of Israel to its land and its renewed independence. At the sides of the menorah are two olive branches, as symbols of peace. These images were chosen in accordance with the vision of the prophet *Zechariah*, who envisioned the gold menorah and olive branches to the right and left of it. Legal and political acceptance of the emblem of the State of Israel was established in the Flag, Symbol and Anthem Law of the State, which was passed on May 24, 1949 (25 Iyyar 5709).



Menorah outside Knesset in Jerusalem. (Wikipedia/Lily)



Daf 53: "איסורי קדושה" – "Prohibitions of Holiness"

Some commandments are only obligatory for kohanim and not for the entirety of the Jewish people. On this *daf*, we learn two of the *mitzvot* for *kohanim* concerning marriage: A *kohen gadol* is prohibited from marrying a widow and all *kohanim* are prohibited from marrying a divorcee. Some Talmudic Sages were accustomed to calling these *mitzvot* "*issurei kedusha*" (prohibitions [on account] of holiness) since *kohanim*, servants of God, possess a special holiness.

There is one additional type of woman, which the Torah does not forbid a *kohen* to marry, but which the rabbis deemed prohibited because of the similarity of this group to divorcees. This woman is a "*chalutza*," a woman who has done "*chalitza*."

What is *chalitza*? If a man died without having fathered any children, it is a *mitzvah* for the deceased's brother to marry the widow. If the brother does not want to marry her, they are obligated to perform *chalitza*. The widow must remove a shoe from her brother-in-law's foot, thus becoming exempt from the obligation to marry the brother-in-law.



Daf 54: אביי ורבא – Abaye and Rava

Amoraim *Abaye* and *Rava* lived toward the end of the Amoraic period. Their students, *Ravina* and *Rav Ashi*, completed the *Talmud Bavli* (Babylonian Talmud). They were the last generation of *Amoraim*.

Many *maimrot* (amoraic teachings/dictums) of *Abaye* and *Rava* are found in the Talmud and their names appear innumerable times. Many *sugiyot* (discussions) in the Talmud are called "*Havayot d'Abaye ve'Rava*" (debates of *Abaye* and *Rava*).

Abaye and *Rava* were early childhood friends who learned Torah together. *Masechet Brachot* tells of an episode that occurred when *Abaye* and *Rava* were still young. They gave a particularly clever answer to one of their teachers, the *Amora Rabbah* – an answer that provided clear evidence of their deep understanding. From that interaction, *Rabbah* declared that the two young people standing before him were destined to be great Torah scholars. *Abaye* and *Rava* did indeed grow up to be *talmidei chachamim*, and were recognized as *Gedolei Hador*, the greatest Torah scholars of their generation.

However, *Abaye* and *Rava* did not always concur regarding *halacha*. Throughout the Talmud, many disputes are recorded between them. Generally, halachic rulings in these disagreements follow the opinion of *Rava*, with the exception of six cases in which the Talmud explicitly states the *halacha* is in accordance with *Abaye*.



Tomb of Abaye & Rava, Mt. Yavnit, Israel. (Wikipedia/Ariel Palmon)

Made In Israel

WAZE

Founded by: Ehud Shabtai, Amir Shinar & Uri Levine (2007)

One upon a time, we all had to sit in unmoving traffic and hope it would soon clear up. Waze is a GPS-based geographical navigation program that collates information contributed by app users to direct consumers through traffic. Thanks to Israeli software engineers, we can all deploy Waze to find the best and most traffic-free route to our destination, thereby saving time and money. In June 2013, Google acquired Waze for \$1.1 billion!

Recently Waze for Android Auto launched and it is built into Google's in-car infotainment systems. The app has been modified to use in vehicles, making the social network for cars even more user friendly.

Thank you Israeli developers for helping us avoid traffic jams!



Android version of Waze on the screen dashboard
Photo Source: Engadget.com

Daf 55: אַבַּי – 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 and he was accustomed to calling the nanny "mother." Several of *Abaye*'s teachings in the Talmud begin by saying: "My mother told me," and this refers 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*", 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*" "אֲשֶׁר בְּךָ יְרוּחַם יְתוּם" (through you an orphan will be comforted). *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 be accustomed to thinking quickly and questioning any inconsistencies.



חוכמת החכמים |

הַאֹמֵר שְׁלִי שְׂלָה וְשְׂלָה שְׂלָה, חֲסִיד: (אבות ה:י).

הַסֵּבֵר: אָדָם שֵׁיכוֹל לְהַעֲנִיךָ לְאַחֲרִים וְלֹא מִצְפָּה לְקַבֵּל תְּמוּנָה, אֲלֹא עוֹשֶׂה זֹאת לְשֵׁם מִצְוָה/מַעֲשֶׂה, הֵינּוּ חֲסִיד.

מִלּוֹן	
Something in return – תְּמוּנָה	Mine – שְׁלִי
Rather – אֲלֹא	Yours/Is yours – שְׂלָה
Does/Acts – עוֹשֶׂה	Righteous – חֲסִיד
For the sake of – לְשֵׁם מִצְוָה/מַעֲשֶׂה	Grant/provide – לְהַעֲנִיךָ
the mitzvah/deed	To others – לְאַחֲרִים
He is – הֵינּוּ	Expect – מִצְפָּה

Dvar Torah for the Shabbat Table

In this parasha it says that *klalot* (curse) could, Heaven forbid, fall upon Israel— "Since you did not serve HaShem, your God, with joy and hearts filled with happiness, while you had an abundance of everything. As a result, you will serve your enemies, whom God will send against you..." (Devarim 28:47-48).

What is the meaning of these *p'sukim* (verses)? Rashi explains the *p'shat* (plain, simple meaning): because *B'nei Yisrael* did not worship God when they were happy and all was good, they would have to serve their enemies under harsh conditions. From these *pasukim* we learn that it is not enough merely to observe *mitzvot*, but rather that *mitzvot* should be performed with great joy. Whoever fulfills *mitzvot*, but does so grudgingly and with complaints, his/her worship of God is defective because s/he does not understand its importance. Once a person understands the great spiritual value of *mitzvot*, they are very happy to observe them.



מִצְוָה גּוֹרֶרֶת מִצְוָה (אבות 2:4)
One mitzvah leads to another (Avot 4:2)

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

1. Which pair of Sages completed the *Talmud Bavli*?
2. What is one obligated to do if they accidentally ate *terumah* food designated for a *kohen*?
3. According to *Sefer HaChinuch*, what is the philosophical underpinning of the *mitzvah Kibbud Av v'Em*?

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