

## OVERVIEW of the Daf

### 1) Teachings of R' Yochanan in the name of R' Bna'ah (cont.)

R' Bna'ah describes the table of someone unlearned.

The difference between the bed of a Torah scholar and one who is unlearned is contrasted.

The Gemara relates the incident of R' Bna'ah marking graves and his contact with Avrohom Avinu and Adam HaRishon.

The beauty of different historical figures is described.

Another incident involving graves is presented.

Additional incidents involving R' Bna'ah are recorded.

### 2) MISHNAH: The Mishnah continues to discuss which actions establish a chazakah and which actions do not.

### 3) Clarifying the Mishnah

The Gemara inquires about the meaning of the Mishnah's first two rulings.

Three different explanations of the Mishnah are presented. ■

## REVIEW and Remember

1. How did R' Tuvi bar Masna react when a sorcerer attempted to strip his body?

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2. Why was R' Bna'ah arrested?

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3. According to R' Bna'ah, what is the value of drinking wine?

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4. How do the different Amoraim explain the Mishnah's teaching that a downspout has no chazakah, but its place does have a chazakah?

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## Distinctive INSIGHT

### The holy mission of Rebbe Bna'ah

כי מטא למערתא דאברהם

Rebbe Bna'ah used to mark graves in order for people to know the precise location where they were situated and to be able to avoid coming in contact with the tum'ah they emit. He often entered into grave caverns in order to measure the position and location of the graves located within them.

Most Rishonim explain that Rebbe Bna'ah performed this task in order to help kohanim avoid passing over the airspace above graves, which would result in the kohanim's becoming defiled with טומאת אהל. Rashbam explains that the purpose of this mission was to help anyone who had טהרות (teruma, or foodstuffs to be kept in a state of purity), and to enable people to avoid hovering over a grave and contaminating the טהרות.

Why did Rashbam not mention the clear benefit which Rebbe Bna'ah provided for the kohanim, and why did he choose to highlight the טומאה instead? Sefer בתי כהונה concludes that Rashbam felt that kohanim were very careful and conscience about their movements, and it was not necessary for Rebbe Bna'ah to do his holy work to protect them, as they took care of themselves. It was for the average Yisroel who might be carrying טהרות that Rebbe Bna'ah set out to mark the graves. Furthermore, Rashbam offers his explanation because in the worst-case scenario, a kohen would be able to purify himself if he would become defiled, but טהרות which become defiled are ruined and cannot be fixed. This is why Rebbe Bna'ah worked to save the טהרות rather than to protect the kohanim.

Rebbe Bna'ah came to Me'aras HaMachpelah to mark where our patriarchs and matriarchs are buried.

We find a difference of opinion in Yevamos (61a) regarding whether טומאת אהל applies to graves of gentiles. Rabban Shimon bar Yochai (רשב"י) holds that the laws of טומאת אהל of the dead do not apply to gentiles, as the verse (Bemidbar 19:14) states "אדם כי ימות באהל." By using the word "אדם," and based upon the verse is Yechezkel 34:31, he learns that gentiles are excluded from this halacha. Although Rabbanan disagree with רשב"י, the Rishonim rule according to רשב"י, and that the graves of Adam HaRishon and Avraham Avinu, which have the status of בני נח, do not emit טומאת אהל. Why, then, asks Tosafos, did Rebbe Bna'ah need to measure and to mark

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 By Mr. and Mrs. Michael Schultz in memory of their brother  
 ר' חיים לייב בן ר' יצחק ע"ה  
 Mr. Harvey Schultz O.B.M.

# HALACHAH Highlight

## Paternity tests

זולו חבוטו קברא דאבוכון עד דקאי ומגלי לכו להי מינייכו שבקא  
*Go and strike your father's grave until he rises and reveals to you to which of you he left his estate.*

Sefer Chassidim<sup>1</sup> tells the story of a wealthy man who travelled out of the country with his slave and a large sum of money, leaving at home his pregnant wife. During the journey the wealthy man passed away and the slave took possession of his deceased owner's wealth, claiming to be the deceased man's son. When the wealthy man's son grew up and heard that his father had passed away out of the country he went to recover the money his father's slave had stolen. It turned out that the slave had married into a very wealthy family and the son feared to even attempt to recover his money lest the slave order him to be killed. The son happened to be staying by the home of Rav Saadya Gaon. After hearing his story Rav Saadya Gaon advised the son to speak to the king about his predicament. The king listened to the son's story and then sent for Rav Saadya Gaon to come and adjudicate the matter. Rav Saadya Gaon suggested a blood test to determine who was truly the son of the deceased. The test would involve taking some blood from the slave and the son and putting a piece of bone from the deceased man into each bowl. Rav Saadya Gaon said that the bone would only absorb the blood of the one who is his

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the graves in Me'aras HaMachpelah, which do not have the issue of **טומאת אהל**?

Tosafos explains that we find verses which refer to both Adam HaRishon and to Avraham Avinu as "אדם," thus indicating that they are included in the laws of **טומאת אהל**. ■

son. The test was performed and when the bone absorbed the blood of the son but did not absorb the blood of the slave Rav Saadya Gaon took the fortune the deceased left behind away from the slave and handed it to the son.

Eliya Rabba<sup>2</sup> questions this account of Sefer Chasidim from our Gemara. The Gemara recounts the incident of a person who discovered that only one of his sons was biologically his and he commanded that all his property should go to that son. R' Bna'ah advised the "children" to strike the grave of their "father" and then pronounced that the one who refused to do so is the son of the deceased. Why didn't R' Bna'ah use the blood test of Rav Saadya Gaon to determine definitively who is the son of the deceased? Rashash<sup>3</sup> answered that R' Bna'ah did not want to definitively determine paternity since this would positively identify nine mamzerim, therefore, he chose another method that would not prove the others are mamzerim. ■

1. ספר חסידים סי' רל"ב.
2. אליה רבא או"ח סי' תקס"ח.
3. רש"י לסוגיין. ■

# STORIES Off the Daf

## The true antidote

"בריש כל מרעין אנא דם ובריש כל אסווון  
 אנא חמר..."

Rav Simcha Zissel, the famous Alter of Kelm, zt"l, would travel around trying to solve communal problems and encourage mussar study in the broader community. One of the main goals of his journeys was always to work to change the minds of the many rabbonim and laymen who opposed the study of mussar in yeshivos.

On one such trip to Bialystok, the Alter struggled to convince the Ohr Someach, zt"l, that mussar was an essential part of the daily seder of every yeshiva bochur. Although he spent several

days presenting various arguments, the Ohr Someach repudiated every one.

On their last meeting, the Ohr Someach said to the Alter, "Torah is surely the best medicine against the yetzer hara of your average bochur, since who knows the nature of a person better than Hashem Himself? He created the yetzer and He knows the best method to defeat him. What does Hashem tell us about the yetzer? 'I created the yetzer hara and I created the Torah as its antidote.' We see that the best solution to whatever strategies the yetzer hara uses is learning Torah."

The Alter respectfully disagreed yet again. "Surely one requires a medication tailor-made to heal his spiritual symptoms just as much as he would to heal physical ones. Each sickness must be diagnosed and treated in and of itself."

But the Ohr Someach was not to be so easily mastered. "I believe that what I am saying is actually the meaning of the statement in Bava Basra 58 that 'the source of all deaths is blood and the source of all healing is wine.' This means that the source of all spiritual sickness is from the blood rushing within one's body pushing him to sin or indulge in illicit desires. This is called death because this leads to spiritual death, since the wicked are called dead in their lifetimes. But the source of all healing salves is Torah, which is compared to wine."

He concluded, "We see clearly that learning Torah is the best way to truly change a person's bad character traits and straighten out all crookedness. Why, then, should one resort to inferior methods?" ■

1. החפץ חיים—חיוו ופעלו, ע' 357 ■