

## OVERVIEW of the Daf

### 1) Cutting down fruit trees (cont.)

Two incidents related to cutting down fruit trees are presented.

2) **MISHNAH:** The Mishnah opens with a statement that one must ask forgiveness for injuring another even after paying for the damages. The parameters of liability when someone is asked to damage or injure are presented.

### 3) Mental anguish

A Baraisa is cited that teaches that one is not forgiven, even after paying for humiliation, until he receives forgiveness for the mental anguish that he caused.

The exposition of the Baraisa is challenged.

R' Shmuel bar Nachmani in the name of R' Yochanan elaborates on this exposition.

Further analysis of the episode of Avrohom and Elimelech is presented.

### 4) The dialogue between Rava and Rabbah bar Meri

(Continued on page 2)

## REVIEW and Remember

1. What is the source that one who davens for another when he needs the same thing will be answered first?
2. Why did Yehudah's bones rattle in his coffin?
3. What is the source that one should be forthcoming with his faults?
4. What is the source that one must show appreciation to others?

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Mr. & Mrs. Glenn Miller  
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## Gemara GEM

### The multiple benefits of getting an early start

ואמרי אינשי שיתין רהוטי רהוט ולא מטו לגברא דמצפרא כרז

Our sages have praised those who partake of a hearty morning meal. We are told in our Gemara that "I will remove illness from amongst you." (Shemos 23:25) refers to the removal of eighty-three maladies associated with the disease called מרה. Also among the benefits gained by eating a morning meal is that one is granted the ability to study and teach Torah. Finally, "Sixty men may pursue him who has early meals in the morning, but they will not overtake him."

HaRav Menachem Bentzion Sachs notes that all of Moshe's ascents up the mountain were made early in the morning, as it is stated (Shemos 34:4): "And Moshe rose up early in the morning." ~ Rashi, from Mechilta and Gemara Shabbos 86b.

The ascent of Moshe to Har Sinai refers to each one of us, as we set out on our spiritual climb and drive to perfection. One lesson we see in the verse is that this effort must begin early in one's life. In reference to Moshe's receiving the first and the second tablets (Shemos 34:2), the Torah similarly emphasizes that he be ready each time: "in the morning, and go up in the morning to Mount Sinai, and be placed there before Me at the top of the mountain." Within these words is contained a message for all generations. Namely, one must prepare in the "early morning" of one's life and begin an ascent in order to stand before Hashem when one reaches the peak of one's maturity.

Earlier in our Massechta (Bava Kama 17a) we find that all of these advantages can be applied as well to one who partakes of spiritual food. "Torah is compared to water, as in Yeshayahu 55:1." The more a young person is nourished early in the morning by studying in the dawn of his life, the stronger and more solid are the fibers of his spiritual foundation. By means of this reinforced and vitalized internal charge, our youth can merit to study Torah, to teach Torah, and to have the knowledge of Torah permeate their beings. Shlomo HaMelech has written (Mishlei 22:6): "Educate a child in the way he should go, and when he is old he will not depart from it." This system serves to immunize children from illnesses of the soul which otherwise infect them with "marah". Only when our youth are equipped with Torah ideals can they withstand the difficult and corrupting challenges which the world will present to them later. ■

# HALACHAH Highlight

## Asking forgiveness after compensating a victim for his injury אע"פ שהוא נותן לו אין נמחל לו עד שיבקש ממנו

Even though he pays for the injury he is not forgiven until he asks forgiveness from the victim

Rambam<sup>1</sup> writes that there is a fundamental difference between damaging someone's property and physically injuring him. When one compensates a friend for damaging his property, he has achieved atonement for his transgression. On the other hand, even after one has compensated his victim with all five payments for injuring him he does not secure atonement until he asks the victim for forgiveness. Lechem Mishnah<sup>2</sup> notes that this ruling of Rambam seems to contradict another ruling of Rambam. Rambam<sup>3</sup> writes regarding interpersonal transgressions like injuring a friend, or stealing his money that the assailant or thief is not forgiven for his transgression until he appeases his friend. This clearly indicates that one is obligated to ask forgiveness even for offenses against a friend's property.

Lechem Mishnah suggests that there is a difference between damaging a friend's property and theft. When one steals property from a friend not only has he caused distress to the victim but he has benefited from that distress. When these two factors are combined the result is that it is neces-

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The Gemara begins to present seventeen conversations between Rava and Rabbah bar Meri on a variety of topics. ■

sary for the thief to ask forgiveness for his transgression. In contrast, one who damages a friend's property does not cause the same degree of distress and there is no tangible benefit the damager received from damaging the property, thus, it is not necessary to ask the victim for forgiveness. Teshuvos Shtei Halechem<sup>4</sup> suggests that there is a distinction between atonement, mentioned in the first Rambam, and forgiveness, the term mentioned in the second Rambam. Atonement provides the transgressor with protection from tragedy (פורענות) whereas forgiveness completely cleans the transgressor's slate of any remnant of the transgression. Therefore, in the first Rambam he was discussing how to achieve atonement and he mentioned that for damaging a friend's property atonement is achieved when one compensates the victim for his loss. The second Rambam teaches that even after compensating the victim and achieving atonement it is still necessary to ask forgiveness so that one should be completely forgiven for his transgression. ■

1. רמב"ם פ"ה מהל' חובל ומזיק ה"ט
2. לחם משנה שם
3. רמב"ם פ"ב מהל' תשובה ה"ט
4. שו"ת שתי הלחם (לר' משה חגיז) סי' ט"ו ■

# STORIES Off the Daf

## The merit of the underdog

לעולם יהא אדם מן הנרדפין ולא מן הורדפין

On today's daf we find that one should always be one of the pursued instead of one of those who pursue others. One may ask what this means. After all, one does not usually have a choice of whether he will be pursued. The Ben Ish Chai, ז"ל, answers this question with a simple example: "In certain countries, the rule was that a tax committee was appointed in each community to evaluate every person's assets and earnings and decide how much of the tax each person should pay. Inevitably, the committee would

miscalculate the assets of some people, but since everyone would claim that they could not possibly pay their share, their decisions held even if in a small number of cases they really had erred. The only person ensured of not being pursued by such a committee was an appointed member. The members would be rodfim of those whose assets had been mis-assessed, but were not themselves pursued.

"This then is the meaning of today's daf: Even when one risks being pursued himself, he should still not agree to be rodef another!"<sup>1</sup>

The Kotzker Rebbe, ז"ל, explained this differently. "A person who is in a fight with his fellow often wishes to use the most effective tactic to cause his opponent's downfall. Such a per-

son could learn the verse, והאלקים and conclude that the best way to fight someone is to cause him to become a pursuer. After all, does not the Midrash say that even a wicked person pursued by a righteous man is considered a 'nirdaf,' someone who is pursued and therefore deserving of Hashem's special protection?"

He concluded, "Chazal cautioned against this when they wrote to be a nirdaf, pursued and not a rodef, pursuer. A person should never use this as a tactic to cause another's downfall, since the instigator is actually a rodef himself. Like every pursuer, he gains none of the benefits of someone who is truly pursued."<sup>2</sup> ■

1. בן יהוידע
2. אמת ואמונה ע' תקי"ב

