



# OVERVIEW of the Daf

- 1) Erecting a wall in a bedroom with a Sefer Torah**  
R' Yehoshua ben Levi holds that erecting a wall in a bedroom with a Sefer Torah permits marital relations but only when there is not another room available.
- 2) Distancing oneself from human waste**  
The gemara clarifies how far, depending on the direction, one must distance themselves from waste and from a bathroom.
- 3) MISHNAH:** The issue of tevila for a tamei person who becomes a baal keris is disputed.
- 4) Clarifying the opinion of R' Yehudah**  
The Gemara clarifies that R' Yehudah never requires tevila even if he was a baal keris before becoming a zav.  
**הדרן עלך מי שמתו**
- 5) MISHNAH:** The latest time for shacharis, mincha, maariv and musaf are listed.
- 6) Clarifying the different times for shacharis**  
The conclusion of the Gemara is that davening at sunrise is the best time to daven, before the fourth or sixth hour one receives credit for having davened in the appropriate time and after the sixth hour he only receives credit for having davened.
- 7) Making up a missed mincha**  
If one missed mincha can it be made up in maariv or perhaps once the day is over it can not be made up? The conclusion is that it could be made up at maariv unless it was intentionally missed.
- 8) A missed tefila when the next day is a different kedushah**  
The Baraisa discusses the halachos of one who missed mincha on either Erev Shabbos or on Shabbos itself.
- 9) The enactment of tefila**  
R' Yosi Berebi Chanina states that the tefilos were enacted by the Avos whereas R' Yehoshua ben Levi says that the tefilos were enacted to correspond to the korbanos.

(Continued on page 2)

# REVIEW and Remember

1. Why do Persian bathrooms have a unique halacha?  
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2. What is "something not there that cannot be counted"?  
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3. If one is saying two tefillos on Motzei Shabbos, should Havdalah be included in the first or second shemoneh esrei?  
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4. According to R' Yosi b'R' Chanina, where did tefilas Musaf come from?  
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# Distinctive INSIGHT

*Avraham Established Shacharis* אברהם תקן תפלת שחרית

The Gemara (Kiddushin 82a) tells us that Avraham Avinu fulfilled all mitzvos, even before they were commanded to him. Why, then, did he not daven mincha?

Tosafos Yeshanim (Yoma 28b) writes that Avraham did daven mincha. However, he did not establish it as a rule for his household. This was done later, when Yitzchok established it as a formal prayer for everyone. Rambam (Hilchos Melachim 9:1), however, writes that "the accomplishments of Avraham were that he was instrumental in instituting the mitzvah of milah, and he taught the prayer of shacharis. Yitzchok taught the world to take off ma'aser, and he davened mincha. Yaakov innovated the mitzvah of גיד הנשה, and he davened ma'ariv." This seems to suggest that Yitzchok's role in establishing the prayer of mincha was not in how he taught others to daven, but that he was the first to institute it altogether. The question then resurfaces, why didn't Avraham daven mincha?

Sefer Msharot Mשה suggests (based upon Ramban, Bereshis 26:5), that the avos kept the Torah before it was commanded, but only in Eretz Yisroel. Our Gemara, where Avraham davened only shacharis, is referring to his conduct even when he was outside Eretz Yisroel. Even without a specific command, Avraham davened shacharis outside Eretz Yisroel. ■

# Gemara GEM

*The Forefathers Established Our Prayers* תפלות אבות תקנום

Technology has produced the telephone, where one's voice can instantaneously be transmitted across continents. Although we tend to take it for granted, we should appreciate that this simple device represents the culmination of many decades of discovery and innovation. Thousands of minds have each contributed their knowledge and experience to develop the ideas, the theories, the methods and the final product which we can now acquire for a token sum, and with great ease. As we speak into a phone, we barely think about the immense human effort which was necessary to bring us this product, but, nevertheless, even without our appreciating it, we utilize it for our benefit.

This lesson in appreciation is necessary in order to understand our daily prayers. A person enters a shul early in the morning, and he dons his tallis and tefillin. He opens his siddur and

(Continued on page 2)

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ר' יעקב יוסף בן ר' שרגא פייוול  
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# HALACHAH Highlight

## The Remedy for One Who Forgot to Pray

”והאמר רב מרי בריה דרב הונא בריה דרבי ירמיה בר אבא אמר רבי יוחנן: טעה ולא התפלל ערבית – מתפלל בשחרית שתיים, שחרית – מתפלל במנחה שתיים...! מיתיבי: (קהלת א, ט) מעות לא יוכל לתקן... מעות לא יוכל לתקן – זה שבטל קריאת שמע של ערבית וקריאת שמע של שחרית, או תפלה של ערבית או תפלה של שחרית.. אמר רבי יצחק אמר רבי יוחנן: הכא במאי עסקינן – שבטל במזיד. אמר רב אשי: דיקא נמי דקתני בטל ולא קתני טעה – שמע מינה.”

"Rav Mari the son of Rav Huna and Rabbi Yirmiah bar Aba said in the name of Rav Yochanan: If one made a mistake and he did not pray Arvis, he may pray the Shacharis prayer twice. If one did not pray Shacharis, then he can pray Minchah twice. ... A question: A twisted thing can not be made straight, this is someone who neglected saying the Shema at night or in the morning, or the prayer of Arvis or of Shacharis. ... Rav Yitzchak said in the name of Rav Yochanan: What are we dealing with here? Where one deliberately neglected the recitation."

It is clear from the Gemara that one who intentionally did not say the prayer is not given the remedy of doubling the next prayer. The remedy is afforded only to one who unintentionally missed the prayer. The Poskim discuss the law in the case that one forgot to pray. Is forgetfulness considered deliberate neglect or unintentional?

The Nimukei Yosef<sup>1</sup> extrapolates a position on this matter from the opinion of the Ramah who rules as regards damages that forgetfulness is akin to accidental. The case: someone did not pray when there was still time, because he was sure that after he completed the activity that he was directly occupied with there would still be time. The person then forgot to pray, and the time for prayer passed. The Nimukei Yosef says that it is clear that this qualifies as accidental, and the person would be permitted the remedy of repeating the next prayer. However, the Nimukei Yosef later reconsiders this since we find that limitations are put on activities prior to prayer<sup>2</sup>, indicating that there is a higher degree

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begins to daven. His words immediately pierce the heavens, and his prayers cause celestial movements of merit and blessing to pervade the globe. Yet, he is oblivious to how this procedure works. Who connected these spiritual wires, so that the Jewish people have this direct line of communication established? All generations now benefit from the pipelines which have been built to connect our world with the higher spheres, all the way to the throne of Hashem. We must recognize that these avenues of prayer have been paved by Avraham, Yitzchok and Yaakov. It was their ingenuity and prophetic powers which enabled them to author these prayer institutions. We can now simply hook up with these words by concentrating upon them as we pray. ■

of awareness incumbent upon us for prayer. Thus, one who put off prayer with other concerns is actually neglectful, and would not be able to repeat the next prayer. The Beis Yosef<sup>3</sup> quotes the Nimukei Yosef and states that his initial statement is the prevailing view in this matter, and therefore one who forgot would be able to pray the next prayer twice. Only in a case where one deliberately skipped prayer without preoccupation is it considered neglectful. The Shulchan Aruch rules accordingly<sup>4</sup>. The Mishnah Berura<sup>5</sup> accepts this position. However, the Kaf HaChaim<sup>6</sup> quotes authorities that state that in the case of forgetfulness, one should stipulate that the remedial prayer is conditional. The condition being: if he can make a remedial prayer, than it is so, and if not then it is voluntary (תפלת נדבה) Rav Ovadiah Yosef<sup>7</sup> disagrees. ■

1. ב"ק (כג ע"א, דף י' ע"ב בדפי הרי"ף). וכזה כתב גם רבינו מנוח בס' המנוחה (פ"ג מהלי תפלה ה"ט, עמי עה) ע"ש
2. שבת ט ע"ב ואו"ח סי' רלב
3. סי' קח
4. סי' קח ס"ח
5. שם סי' כג
6. סי' קח (אות לב) בשם החס"ל (שם אות ד') והבא"ח (פרשת משפטים אות יד)
7. סי' הליכות עולם ח"א (פרשת משפטים אות יא) ■

# STORIES off the Daf

## Honoring the Opinion of Rabbi Yehuda רבי יהודה אומר עד פלג המנחה

The year was 1970. The Admo"r from Sanz was traveling to Meiron, and on the way he and his entourage paused to daven Mincha. The Rebbe suddenly instructed that the group stop at the grave of the Tanna Rabbi Yehuda bar Ila'ei (Rabbi Yehuda in the Mishnah) to daven mincha. Although the site of the monument on his grave was along the road to Meiron, it was surprising that the Sanzer Rebbe be so de-

termined that this be the spot where the group daven that day. The Rosh HaYeshiva, Rabbi Shmuel Eliyahu Shmerkler, who was accompanying them on that excursion, noticed the curiosity of those assembled, and he explained. "Fifteen years ago (1955) was the year the Rebbe first visited Eretz Yisroel. As we arrived in the north to spend Shabbos in Tzefas, we passed this spot, and we stopped to daven mincha here, at the grave of Rabbi Yehuda. As we were about to leave, the Rebbe turned to those around him and anguished, 'Oy vey! What have we done! Rabbi Yehuda is the one who rules that one may only daven mincha until plag

mincha, and we just convened a minyan to daven after plag mincha!' The Rebbe never forgot that oversight, and he often told me to remind him that when we come this way again, we should amend for our insensitivity. This is why we made a special effort to arrive here, and to daven mincha before plag." ■

(Overview...continued from page 1)

## 10) Clarifying the latest time for shacharis according to R' Yehuda

The Gemara questions whether the four hours of R' Yehudah includes the fourth hour or is up to but not including the fourth hour. ■