



This month's Daf Digest is dedicated
לעילוי נשמת צבי בן יחזקאל יוסף גרין, מחסידי דעעש
From the Grin family, Sao Paulo, Brazil

OVERVIEW of the Daf

1) Zaken mamre (cont.)

R' Pappa continues to explain in detail the earlier-cited Beraisa according to the position of R' Meir that one qualifies as a zaken mamre only if the dispute was related to a case involving kares.

2) Becoming a zaken mamre

R' Kahana elaborates on the precise nature of the disagreement between the elder and Sanhedrin to make one liable as a zaken mamre.

R' Elazar disagrees and maintains that if the elder claims to have a tradition and Sanhedrin rules based upon what "appears correct in their eyes" he is killed in order to keep disputes at a minimum.

On the second attempt the Gemara cites definitive proof to R' Elazar's position.

3) The method of keeping disputes at a minimum

A Beraisa describes how disputes used to be resolved and what happened that caused disputes to proliferate.

Tangentially, the Gemara mentions traits that earn a person a spot in the World-to-Come.

4) Becoming a zaken mamre

A Beraisa teaches that one does not become a zaken mamre unless he follows his ruling or instructs others to follow his erroneous ruling.

The Gemara elaborates on the meaning of these two rulings.

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REVIEW and Remember

1. What is the point of dispute between R' Yehudah ben Besairah and Chachamim regarding חרמים?
2. What is the point of dispute between R' Kahana and R' Elazar regarding the zaken mamre?
3. What caused the number of disputes to increase?
4. What type of disagreement makes one liable to becoming a zaken mamre?

Distinctive INSIGHT

The parents have the option of dropping charges

בן סורר ומורה שרצו אביו ואמו למחול לו מוחליו לו

Rav Kahana and R' Elazar disagree regarding the details of the halacha of the case of Sanhedrin and the rebellious sage (זקן ממרא). A Beraisa is cited in which a proof is brought to support the view of R' Elazar and to refute that of Rav Kahana. Among the halachos mentioned in the Beraisa is that of a recalcitrant son, a בן סורר ומורה, and that his parents may decide not to bring him to court to have him killed. Even after he has acted with treachery and has been given lashes, if he continues to sin he is brought to the beis din to be killed. Yet, the parents may dismiss their charges and let their son escape retribution.

Rashi explains that the reason the parents have the choice to deny pursuing their son's death sentence is that the Torah describes the parents as the ones who have control of this episode. The verse states (Devarim 21:19): "And his parents must grasp him, and they will take him to the elders of the city and the gates of the city." Mishne L'Melech (to Rambam, Hilchos Mamrim 7:8) infers from this comment of Rashi that the parents can exercise this decision only before they bring their son to the beis din in the first place, as indicated in the verse where the parents' role is in bringing their son to the beis din. Once the son is brought there, the parents must follow through and complete the process. Mishne L'Melech notes that Rambam, however, writes that the parents can interrupt the process at any time, even after they bring their son, until the verdict is rendered.

Finally, Mishne L'Melech adds that the Yerushalmi (8:6) explains the halacha of the בן סורר ומורה according to Rambam's understanding. The Gemara there notes that the Mishnah taught that the son will not be brought to court as a בן סורר ומורה unless the parents agree to it. Yet, R' Yoshia apparently repeats this ruling. It must be that he allows parents to pull out not only before he is brought to court, but also even later, before the verdict.

Today's Daf Digest is dedicated
By Adam Sheps for a Refuah Shelaima for
דניאל יצחק בן שרה

HALACHAH Highlight

Adding additional strings to one's tzitzis

והאיכא ציצית וכו'

But what about the commandment of tzitzis etc.

The Gemara Menachos (41b) records two opinions concerning the correct number of strings that are required for tzitzis. One opinion maintains that one takes four strings that are folded in half to make eight strings and the second opinion holds that one takes eight strings that are folded in half to make sixteen strings. Tosafos¹ in the name of Rashi writes that one who uses eight strings does not violate the prohibition against adding to the Torah even though he is adding more strings than the Torah mandates. The reason, explains Ritva², is that the exposition that indicates one should take four strings is intended to express the minimum number of strings that are required but if one wants to add additional strings it is allowed. Rishonim note that this explanation is difficult in light of our Gemara that indicates that one who adds additional strings to his tzitzis disqualifies the tzitzis.

Ran³ suggests that Rashi maintains that tzitzis strings must be made of wool or linen. When one makes valid tzitzis, made from four strings of wool or linen, and then adds a string made from another material he violates the prohibition against adding to the Torah. This is what our Gemara was referring to when it asserted that one could become a zaken mamre for adding to the tzitzis strings, namely, that one added a string made of a different material but adding additional strings of wool or linen does not violate the prohibition.

Rabbeinu Dovid⁴ adopts a different approach. All opin-

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5) **MISHNAH:** The Mishnah teaches that one is not liable as a zaken mamre unless he issues a ruling that disagrees with the Sofrim.

6) Liability as a zaken mamre

R' Elazar in the name of R' Oshaya teaches that one is not liable unless he contradicts a ruling that is traced to the Torah and whose interpretation is presented by the Sofrim to which something could be added or subtracted and the example of this is Tefillin according to R' Yehudah.

Other possible cases are suggested but rejected. ■

ions agree that one may not add more strings than mandated by the Torah. The Gemara in Menachos teaches that there are conflicting opinions whether the correct number of strings is four or eight but all opinions agree that the number is specific and Rashi was merely following the opinion that maintains that the mitzvah is fulfilled with four strings.

Tosafos Harosh⁵ asserts that the Torah merely mandates that there should be four strings of white and techeles. This could be done by using four techeles strings and four white strings or two strings of techeles and two white strings. Both methods are acceptable but if one were to add an additional string beyond these guidelines he would be in violation of adding to the mitzvah and it was to this that Rashi referred. ■

1. תוסי' מנחות ל"ח. ד"ה התכלה.
2. ריטב"א במסכת סוכה ל"א. ד"ה והתניא.
3. חידושי הר"ן לסוגיין ד"ה והא.
4. רבינו דוד לסוגיין ד"ה והא.
5. תוספות הרא"ש ד"ה הא. ■

STORIES Off the Daf

True greatness

"איזהו בן עולם הבא..."

On today's daf we find that a person who is humble and always learns Torah is a "ben olam haba"—destined for the future world.

Rav Aharon Yosef Luria, ז"ל, authored "Avodas HaPanim," a very deep work filled with chassidus and concepts in avodas Hashem. It is not surprising that the Beis Avraham of Slonim, ז"ל, praised him highly. "Rav Aharon Yosef was of the rare few who toiled to an unusual degree in their Divine service."

Despite his great accomplishments, Rav Aharon Yosef was also filled with humility. When a certain young man addressed him in Yiddish using the third person as a sign of respect, he demanded to know why he addressed him so. The young man replied, "It is a sign of my esteem of an older Jew who is always learning Torah."

The rav immediately demanded that the young man cease speaking to him in this manner. When the young man asked why, Rav Aharon Yosef replied, "Speaking to me in the third person creates distance between us and could damage our friendship."

When people would come to him to learn chassidus, he would groan out of

his innate recoil from receiving honor. On more than one occasion he said, "I feel like a person who has the reputation of being a very wealthy entrepreneur and is always being solicited for donations. In truth, he can not afford to give a penny since his entire wealth is nothing more than a front and he himself must collect in secret to maintain his own household.

"The same is true about people who come to me to learn chassidus. They figure that I am a respected elder who is filled with chassidus. Although they think I am very wealthy, I am actually quite poor and am nothing more than a beggar myself!"¹ ■

1. מזקנים אתבונן, ח"ב, ע"י תייג ■