

This month's Daf Digest is dedicated
לכבוד the Wedding of Yosef and Shoshana Sokolin
And לעלוי נשמת Israel Isser Ben Tzion ben Yaakov whose yahrtzeit is on 19 Iyar

OVERVIEW of the Daf

1) Protesting the wrongdoings of others

The Gemara recounts two stories where one sage advised another to protest improper behavior.

As part of the second story, R' Acha the son of R' Chanina tells the story of how Hashem gave instructions to the Angel Gavriel to mark the righteous and the wicked with a "tav" on their forehead- one with ink and the other with blood respectively. The Attribute of Justice successfully protested saving the righteous because of their transgression of not protesting as they should have.

Five different reasons are given why the letter "tav" was chosen as the mark to be placed on the people's foreheads.

According to Shmuel, the "tav" indicated that the merit of the Patriarchs had run out. Four different opinions are presented to identify when the merit of the Patriarchs expired.

2) Death without transgression and suffering without sin

R' Ami declares that there is no death without transgression and there is no suffering without sin, and he finds support for these assertions from pesukim.

The Gemara successfully challenges R' Ami's assertion and demonstrates that there can be death without transgression and suffering without sin.

3) The "sin" of Reuven

R' Shmuel bar Nachmani stated in the name of R' Yonoson that one who says that Reuven sinned by cohabiting with Bilhah is mistaken. Rather, all Reuven did was move Yaakov's bed from Bilhah's tent to Leah's.

R' Shimon ben Elazar also asserts that Reuven did not cohabit with Bilhah.

The Gemara declares that there is a Tannaic dispute whether Reuven sinned. A Baraisa records different Tannaim expounding the word פחז to be an acronym, some in a complementary fashion and others in a derogatory fashion.

4) The "sin" of the sons of Eli

R' Shmuel bar Nachmani stated in the name of R' Yonoson that one who says that the sons of Eli committed adultery is mistaken, rather they delayed offering women's bird offerings so they could not return home to their husbands.

Rav finds evidence in the pesukim that Pinchas did not sin and as a result of a juxtaposition, R' Yonoson asserts, it can be deduced that Chafni also did not sin. Rav himself, however, maintains that Chafni did indeed sin. ■

Today's Daf Digest is dedicated
By Mr. and Mrs. Boruch Weinberg
in loving memory of their grandfather
ר' פסח בן ר' יצחק, ע"ה

Gemara GEM

Why a Tav?

והתוית תיו

The Gemara quotes the Pasuk in Yechezkel where Hashem told the Malach Gavriel to go and inscribe the letter Tav in ink on the foreheads of the Tzadikim. This was in order that the destructive angels should recognize the Tzadikim and spare them as the Reshaim were being punished during the destruction of the Beis Hamikdash. Similarly, a Tav of blood was inscribed on the forehead of the Reshaim, marking them for doom.

Though the Gemara later quotes Rav as saying that the Tav on the Tzadikim stood for "Tichyeh" ~ "You will live," and the Tav on the Reshaim stood for "Tamus" ~ "You will die," the Tav does not seem to be an essential part of the word. Why wouldn't there be a "Ches" on the Tzadikim for "Chaim" ~ "Life," and a Mem on the Reshaim for "Maves" ~ "Death?" Why was the letter Tav chosen to be the inscription on both the people's forehead?

Rebbi Yehoshua Heshel from Monastritch explained that life and death depend on whether or not a person is fulfilling the Torah and mitzvos, which are comprised of the letters of the Alef Beis. The letter Tav, being the last letter of the Alef Beis, represents a person's having fulfilled the Torah. If he was consistent in his loyalty to the words of the Torah and its mitzvos, then he is credited with being in compliance with the Torah, until the very last letter. This was marked by a positive marking of a Tav. If he did not fulfill Torah and mitzvos, חס ושלום, his head was marked with a Tav in a negative fashion, to indicate that he had desecrated all the letters of the Torah.

It seems that this explanation is in fact alluded to by the Gemara itself. The Gemara quotes Rav Yosef as saying that when the Pasuk says וממקדשי תחלו - And from my Mikdash you

(Continued on page 2)

REVIEW and Remember

1. What were the circumstances that led Hashem to rescind a good decree?
2. Did Moshe and Aharon die as a result of their sins?
3. According to the Baraisa, who were the four people who died without sin?
4. According to Rav, why was Pinchas called wicked?

HALACHAH Highlight

Matters regarding the obligation to rebuke evildoers

אמר לה: הללו צדיקים גמורים, והללו רשעים גמורים. אמרה לפניו: רבונו של עולם? היה בידם למחות ולא מוח. אמר לה: גלוי וידוע לפני שאם מוח בהם, לא יקבלו מהם. (אמר) [אמרה] לפניו: רבונו של עולם! אם לפניך גלוי, להם מי גלוי?

But even the righteous are deserving of punishment because they could have objected, and they didn't. Hashem responded: It is revealed and known to Me that even if the righteous had protested, the wicked would not have accepted the reproach. The Attribute of Justice then said: Master of the Universe! If that information is revealed to You, was it also known to the righteous?

This passage lends to a discussion of the parameters of the obligation to reprove a fellow Jew. There exists¹ the concept of *מוטב שיהיו שוגגין, ואל יהיו מזידין* (it is preferable that they act without intention, than they be aware and act deliberately). This concept limits the scope of the obligation of rebuke when it is clear that the individual being rebuked will disregard the censure. Thus, silence is preferable in order that the errant individual not incur a more severe level of transgression when they act both knowingly and deliberately. Many Poskim² opine that this absolution of responsibility of reproach applies only to obligations that are derived through Biblical exegesis; however when sins that are written explicitly in the Torah are transgressed, such acts must be protested firmly even though the protest may be disregarded.

Our passage, however, would appear to contradict this concept³. The sins transgressed in the days of Yechezkel were the three cardinal sins: murder, idol worship, and forbidden relationships⁴, which are all expressly forbidden in the Torah. Yet, if the righteous would have been aware of the fact that even if they would have reproached the evil doers they would have been ignored, they would not have been punished. We deduce this from the fact that the Attribute of Justice was able to incriminate the righteous only because they were not aware that the wicked would have disregarded their reproach. However, according to the previously cited

(Insight...continued from page 1)

should start," it does not mean that the destruction should begin with the Beis Hamikdash, but rather "מקודשי—My holy ones," those who keep the mitzvos from Alef until Tav. Rav Yosef could have just translated the word מקודשי as "My holy ones," and it would be clear he was talking about Tzadikim. Why did he emphasize that this is referring to those who keep the mitzvos from Alef until Tav? It is possible that Rav Yosef was alluding to this explanation. ■

Poskim, being that the sins were explicitly prohibited in the Torah, the righteous would have been obligated to rebuke the wicked even though they knew that their words would fall on deaf ears.

One of the answers provided⁵ to this question is that there are two levels of responsibility regarding the righteous discussed in this passage. One is the standard Biblical obligation of rebuking evildoers. The second level is that the lack of rebuke by the righteous is tantamount to having transgressed the sin themselves. The implication of the Gemara that if the righteous would have been aware that the wicked would have ignored the censure they would not have been punished applies only to the severe punishment due because their silence was tantamount to having transgressed the sins themselves, for which the punishment was death. Yet, they still would have been obligated to rebuke the wicked due to the standard obligation of rebuke, but failure to do so would not have been punishable by death. ■

- 1 ביצה (דף ל' ע"א)
- 2 עי' רא"ש (ביצה ריש פ"ד) בשם העיטור. וכן כתב הר"ן שם בשם איכא מאן דאמר, וכ"כ הרשב"א בתשובה ח"ג (סי' שט) והמאירי (ביצה דף ל' ע"א). וכן פסק הרמ"א בהגה (או"ח סי' תרח ס"ב). ועי' בריטב"א (מכות כ"ב). ועוד. ויש לציין לדברי הביאור הלכה (סי' תרח ס"ב ד"ה אבל אם מפורש) שמשמטבר שלפירוקי עול לגמרי כבר יצא מכלל עמיתך, ואינו מחויב להוכיחו. ע"ש. ואכמ"ל.
- 3 כן הקשה מהר"ח אבולעפיא בס' ישרש יעקב (שבת סי' כז) ובס' מקראי קדש (דף נד ע"ב בדפוס ישן) הביאו הגר"ע יוסף שליט"א בס' מאור ישראל. וכן כתב להקשות בביאור הלכה (סי' תרח ס"ב ד"ה אבל אם מפורש). ע"ש.
- 4 עי' יומא (דף ט ע"ב)
- 5 כ"כ לתרץ מהר"ח אבולעפיא שם, וכן הובא בשמו בס' ארעא דרבנן (אות קלו). וכן כתב מדפנשיה המשנ"ב בביאור הלכה שם. ויש לציין עוד לתירונו של הגאון חיד"א בברכ"י (סי' תרח אות ד). אבל עי' משי"כ להעיר בביאור הלכה (סי' תרח ס"ב ד"ה מוחין בידם) על דברי הברכ"י אלו. וע"ע במאור ישראל כאן שהאריך. ■

STORIES Off the Daf

Reuven's Repentance

א"ר שמואל בר נחמני א"ר יונתן כל האומר ראובן חטא אינו אלא טועה

The Midrash (Bereshis Rabbah 84:18) seems to suggest clearly that Reuven did, in fact, sin. The verse (Bereshis 37:29) tells us that "Reuven returned to the pit" to find that Yosef was not there. Where had he gone that he needed to return? Rabbi Eliezer and Rabbi Yehoshua teach that Reuven returned from his sackcloth and fasting. Reuven

knew that he had sinned (in the incident with Bilhah – see Overview), and he had focused his attention on repenting. Hashem responded to Reuven and said, "Never has anyone sinned (מעולם לא חטא אדם לפני) that has done teshuva, other than you. You have initiated the process on your own. I assure you that your descendant (Hoshea) will also lead others in teshuva."

There are a number of curious aspects to this Midrash. We know that Reuven was not the first to repent, for Adam HaRishon also did teshuva after being sent out from Gan Eden (see Bereshis Rabbah 22:13). Also, how can we reconcile this Midrash with our

Gemara which says that Reuven did not sin?

In Zichron Shlomo, Rabbi Shlomo Kalish suggests a novel insight. Actually, Reuven did not sin. Yet, the incident caused Reuven to review and reconsider the events revolving around the death of Rachel and how he reacted to Yaakov's living arrangements. Although Reuven did not sin, he still did teshuva. The words of the Midrash are precise. *מעולם לא חטא אדם לפני* – Never did a person *not* sin, and yet reconsider his ways, nonetheless. Adam HaRishon sinned, and he did teshuva, but Reuven did not sin, and he did teshuva in an innovative and thoughtful manner. ■

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