



דף מז:

ר' אליעזר שיחרר עבדו והשלימו לעשרה

- When a Jew acquires a non-Jewish slave, the slave must be circumcised and immersed in a *mikveh*, after which the slave acquires a quasi-Jewish status and is classified as an עבד כנעני (Canaanite slave).
- A Canaanite slave is obligated to observe only those mitzvos which are incumbent upon women, meaning, he is exempt from מצוות עשה (time-related mitzvos, such as *tzitzis* and *tefillin*). Since a Canaanite slave does not have the status of a full-fledged Jewish male, he cannot be counted as one of the ten Jewish males needed to complete a *minyan* (which is required for reading the Torah in public and the recitation of *kedusha* and *kadish*).¹
- Upon his emancipation, an עבד כנעני acquires the status of a full-fledged Jewish male and he can be counted as one of the ten Jewish males required to complete a *minyan*.

The posuk (Vayikra 25:26) states regarding a Canaanite slave, לעולם בהם תעבדו - you should subjugate them forever. Rav Yehuda takes this to mean that one is biblically obligated to keep his Canaanite slave forever and he may not free him (without a valid reason).²

[Even though, in general, whenever there is a conflict between one's obligation to perform a positive mitzvah (such as the obligation to pray with a *minyan*) and a negative mitzvah, the prevailing rule is עשה דוחה לא תעשה - the positive mitzvah overrides the negative mitzvah, this rule evidently does not apply in this case.

One reason for this is that the Torah does not state the prohibition against freeing one's slave in terms of a negative mitzvah (i.e., "do not free a slave") but rather in terms of a positive mitzvah (i.e., "you should forever subjugate them"). Now, as a general rule, one positive mitzvah cannot override another positive mitzvah (for we say, מאי אולמא האי עשה מהאי עשה - "why should one positive mitzvah have more force than another positive mitzvah"). Therefore, the Gemara assumes that the mitzvah to pray with a *minyan* should not have the power to override the mitzvah to perpetually subjugate one's slave.^{3]}

The Gemara answers שאני דרבים - a mitzvah pertaining to the public (i.e., to many people) is different. R' Eliezer was permitted to free his slave so that he could complete the *minyan*, since he thereby enabled many people to recite *kedusha* and pray with a *minyan*.

Tosfos deduces from this Gemara that a מצוה דרבים (a mitzvah pertaining to many) has the power to override a Torah mitzvah even when the מצוה דרבים is [only] a mitzvah miderabbanan, for we find that R' Eliezer freed his slave in violation of the Torah mitzvah לעולם בהם תעבדו for the sake of the rabbinic mitzvah of praying with a *minyan* and reciting *kedusha*.

The Rosh remarks that it is possible that R' Eliezer freed his slave for the sake of fulfilling the Torah-based mitzvah of *Parshas Zachor* (reading the portion in the Torah concerning the obligation to abolish Amalek, which is read in the synagogue the week before Purim). If this

was indeed the case, Tosfos would not have any proof that a public mitzvah which is of rabbinic origin has sufficient force to override a Torah issur. [The Rosh concedes, however, that the simple reading of the Gemara indicates that R' Eliezer freed his slave to complete an ordinary *minyan* on an ordinary day, and not necessarily for the sake of reading *Parshas Zachor*.]

The Sefer Minchas Kinaos⁴ argues that a Canaanite slave is eligible to serve as part of the *minyan* necessary for *Parshas Zachor* because slaves too, are obligated in the mitzvah of *Parshas Zachor*.

As we know, many women have the custom to hear the reading of *Parshas Zachor* because there are several authorities who maintain that the mitzvah of *Parshas Zachor* is incumbent even upon women. According to these authorities, slaves too are obligated to hear the reading of *Parshas Zachor* because slaves are obligated to observe the same mitzvos as women. Moreover, even according to the opinion of the Sefer Hachinuch⁵ who exempts women from *Parshas Zachor*, the exemption is limited to women and does not apply to slaves. The reason the Sefer Hachinuch exempts women from *Parshas Zachor* is that women are not suitable for battle. Since they are not fit to wage war against Amalek they are likewise not obligated to read about the mitzvah to abolish Amalek. This exemption does not apply to male slaves since they are fit to wage war.⁶

The Minchas Kinaos argues since Canaanite slaves are obligated in the mitzvah to read *Parshas Zachor*, they are eligible to serve as part of the *minyan*. Therefore, there would not have been any need for R' Eliezer to set his slave free for the sake of *Parshas Zachor*. Evidently, the reason the slave was freed was for the sake of completing a *minyan* for the rabbinic mitzvah of reciting *kedusha*.⁷

דף מה.

לעולם אינו מוציא את הרבים ידי חובתו
עד שיאכל כזית דגן

1] • In Talmudic times, only the person who led the *zimun* would recite *bircas hamazon*. The leader would be מוציא (recite it on behalf of) the other members of the group who would silently listen to his recitation and respond *amen* (see below דף נ).

The Gemara says, in order to lead the *zimun* and be *motzie* others, one must eat at least a *k'zayis* (olive's volume) of bread.

The Torah states regarding *bircas hamazon*, ואתם תאכלו וברכתם - you shall eat and be satiated and bless Hashem. This teaches that one is not obligated to recite *bircas hamazon* min haTorah unless he ate כדי שביעה - enough [bread] to feel satiated.⁸ The Rabbanan, however, ordained that one must recite *bircas hamazon* even after eating just a *k'zayis* of bread (see below דף מט).

The Bahag (cited by Rashi) maintains that one who ate only a *k'zayis* and does not feel satiated can only be מוציא others who similarly ate only a *k'zayis*. However, he cannot be *motzie* someone who ate כדי שביעה (enough to feel satiated) because a person who is rabbinically obligated to recite *bircas hamazon* is not empowered to be מוציא someone who is under biblical obligation to recite *bircas hamazon*. [He bases this on the Gemara above which says that minors who are obligated to recite *bircas hamazon* only *miderabbanan* cannot be מוציא adults who (ate their fill and) are obligated in *bircas hamazon* min haTorah.]⁹

Tosfos and the Rosh disagree and maintain that it is possible for one who ate only a *k'zayis* (and is only rabbinically obligated in *bircas hamazon*) to be מוציא a person who ate כדי שביעה and is biblically obligated. The Gemara in Rosh Hashana 29a says that even if Reuven has already recited *kiddush* and fulfilled his obligation, he may repeat *kiddush* on behalf of Shimon because כל ישראל ערבים זה בזה - all of B'nai Yisrael are guarantors/responsible for one another. Reuven is responsible (ערבות) to see that his friend fulfills his *kiddush* obligation, and therefore Reuven is permitted to repeat

kiddush for the sake of his friend. Tosfos argues based on the principle of ערבות, even if Reuven has not eaten anything he may recite *bircas hamazon* on behalf of his friend (min haTorah). The only reason the Gemara says that one cannot be מוציא others unless he eats at least a *k'zayis*, is that the text of *zimun* includes the phrase משלושאכלנוברוך - blessed is He from Whose food we have eaten - and it would appear as a falsehood for one who has not eaten to say the term שאכלנו (we have eaten). Therefore, one who has eaten only a *k'zayis* may recite *bircas hamazon* even on behalf of others who have eaten כדי שביעה. [The concept of ערבות does not apply to a minor. Since a minor is never under biblical obligation to recite *bircas hamazon*, he is not responsible for adults. Therefore, a minor cannot be מוציא an adult who ate כדי שביעה and is biblically obligated to recite *bircas hamazon*.]

[The Shulchan Aruch¹⁰ follows the opinion of the Rosh who concludes that although one who ate only a *k'zayis* is able to be מוציא others who ate more, it is preferable for the person who at his fill to lead the *zimun* and recite it on behalf of the others, since his *bircas hamazon* is biblically-mandated and is more significant than a rabbinically-mandated *bircas hamazon*.]

2] The Pri Chadash¹¹ (cited above on דף כ"א, see *ibid.*) considers whether Reuven who is in doubt whether he recited *bircas hamazon* (and is obligated to repeat it מספק - out of doubt) can be מוציא Shimon who is certain that he has not yet recited *bircas hamazon*. He writes that according to the Rambam¹² who is of the opinion that the rule of ספק דאורייתא לחומרא is only of rabbinic origin (ספק דאורייתא,), Reuven cannot be מוציא Shimon because Reuven's obligation to recite *bircas hamazon* is only *miderabbanan* whereas Shimon's obligation is min haTorah.

R' Akiva Eiger,¹³ however, disagrees and concludes that Reuven may be מוציא Shimon despite the fact that Reuven is only obligated to repeat *bircas hamazon miderabbanan*. He invokes Tosfos's principle of ערבות and argues that even a person who is in doubt and is

obligated to say *bircas hamazon miderabbanan* can be מוציא a person who is under biblical obligation - just as Tosfos says that one who only ate a *k'zayis* may be מוציא one who ate כדי שביעה.¹⁴

דף מט:

ואכלת זו אכילה, ושבעת זו שתיה

Even though the term אכילה in the Torah connotes eating the volume of an olive, R' Yehuda derives from the term ושבעתואכלת that the minimum shiur that necessitates *bircas hamazon* is a *k'beitzah* (an egg's volume, which is twice the volume of an olive). R' Meir, however, maintains that the minimum shiur for *bircas hamazon* is a *k'zayis* because the term ושבעת refers to drinking, not to eating.

Tosfos proves from the Gemara above on 20b that min hatorah one is not obligated to recite *bircas hamazon* unless he eats כדי שביעה (as mentioned above on דף מה). He explains that the halachos discussed here are only rabbinic laws, and the posuk ואכלת ושבעת is cited only as an אסמכתא (scriptural allusion to a rabbinic law).

The Shulchan Aruch¹⁵ rules in accordance with Tosfos that the minimum shiur for *bircas hamazon* min hatorah is כדי שביעה, and *miderabbanan* the shiur is a *k'zayis*. The Bais Yosef explains that R' Meir's derasha of ושבעת זו שתיה is just an allusion to the rabbinical obligation to recite a *bracha acharona* after drinking.

The Yeraim¹⁶ disagrees with Tosfos and maintains that the *derashos* cited by our Gemara are of biblical force, and he explains R' Meir's derasha of ושבעת זו שתיה differently than the Bais Yosef. The posuk teaches that one who is thirsty after his meal is not obligated to recite *bircas hamazon* min hatorah unless he drinks something.¹⁷ According to the Yeraim one who eats a *k'zayis* of bread is obligated min hatorah to recite *bircas hamazon*. However, if he is thirsty he is not obligated to recite *bircas hamazon* unless he takes a drink (in addition to eating a *k'zayis*).

Although the Shulchan Aruch rules in accordance with Tosfos, the Ramoh¹⁸ writes that if one person drank during his meal and the

others in the group did not drink, it is preferable for the one who drank to lead the *zimun* since according to the Yeraim that person is the only one in the group who is under biblical obligation to recite *bircas hamazon*.

The Chazon Ish¹⁹ discusses an interesting case of one who eats a meal and recites *bircas hamazon* before having anything to drink, and then he takes a drink. Perhaps according to the Yeraim this individual would be obligated to repeat *bircas hamazon* after the drink. Since he was thirsty at the end of his meal, he was not biblically obligated to recite *bircas hamazon* at that point. When he subsequently takes a drink, perhaps he assumes a biblical obligation to recite *bircas hamazon* at that point (even though he already recited *bircas hamazon* earlier).

The Shoneh Halachos²⁰ comments that since the Ramoh cites the Yeraim's opinion, one who did not drink anything during his meal should be careful not to take drink immediately after his meal (until his meal is digested), so as not to create a situation where he would have a questionable *bircas hamazon* obligation.

דף נ.

ג' שאכלו כאחד אינן רשאים לחלק

1] When three or more people eat a meal together they are obligated to join together for *bircas hamazon*. One of the group, called the *מוזמן*, leads the others in reciting *bircas hamazon*, and a special *bracha*, called *bircas hazimun*, is recited by the group prior to *bircas hamazon*. If there are less than ten members in the group, the text of *bircas hazimun* is ברוך שאלנו משלו - blessed is He from Whose food we have eaten. If the group numbers ten or more then Hashem's name is inserted and the blessing reads משלואלוקינוברוך .

As mentioned on דף מח, in Talmudic times only the *מוזמן* would recite *bircas hamazon*.²¹ The other members of the group would be *יוצא* by listening carefully to the *מוזמן*'s recitation and answering *אמן*. This custom, however, is no longer practiced today because people find it difficult to properly concentrate and listen to the *מוזמן*'s recitation. Thus, the Shulchan Aruch²² writes that each person in the group should

recite *bircas hamazon* quietly along with the *מוזמן* [and everyone should end his *bracha* slightly before the *מוזמן* so that he should answer *אמן* to the *מוזמן*'s *bracha*].

The Mishna says that if ten or more people eat together, they may not separate and form smaller groups for *bircas hamazon*. They are obligated to join as one group so that they can recite the special ten-man *bircas hazimun* which includes Hashem's name (אלוקינו).

The Gemara (prior to the Mishna) relates that when Rava ate at the Resh Galusa's home he did not conform with the Mishna's halacha. Rava would form his own *zimun* of only three people and he did not wait to join the Resh Galusa's *zimun* of more than ten people.

The Gemara explains the reason Rava did not join the Resh Galusa's large *zimun* was that the crowd was noisy and he could not hear the Resh Galusa's *bracha*.

The Bais Yosef²³ explains that Rava was concerned that he would not hear the *bircas hazimun* of the Resh Galusa. According to the Bais Yosef, if one is eating with a large group of people (e.g., at a wedding feast), as long as it is possible for everyone to hear the *bircas hazimun* (נברך אלוקינו שאכלנו משלו), there are no grounds for him to form a smaller group for *zimun*.

The Magen Avraham,²⁴ however, maintains that not being able to hear the entire *bircas hamazon* recitation of the *מוזמן* also warrants separation into smaller groups because, as mentioned above, the mitzvah of *zimun* mandates that everyone pay attention to the *מוזמן*'s recitation of *bircas hamazon* (at least until the end of the first *bracha*, i.e., הן את הכל).²⁵

2] The Gemara explains that Rava formed a small *zimun* of only three people, not ten, because forming a large group of ten would attract attention and might be taken as an affront to the Resh Galusa's honor. The mitzvah of *zimun* (with ten people) does not justify slighting someone's honor.²⁶

Following is a list of some other cases when people at a large feast would be permitted to

form a small group for *zimun* (or forgo the mitzvah of *zimun* altogether):

(a) The Magen Avraham²⁷ says that a person leaving the meal to perform a mitzvah may leave before *zimun*.

(b) The Semah²⁸ says that a laborer (who is paid by the day or week) should not wait for his companions to finish their lunch in order to join them for *zimun*, since the employer will probably not consent to his taking extra time off.

(c) The Igros Moshe²⁹ says that if one must leave a wedding before *bircas hamazon* because he must awake early the next morning for work, he should begin his meal with the explicit intent not to unite with the others (יכוון שלא להצטרף). He cites the Chachmas Shlomo³⁰ who says that if one begins his meal with the intent not to join with his friends [for *bircas hamazon*] it is as though he is eating alone and he is permitted to recite *bircas hamazon* privately without *zimun*.

(d) The Aruch HaShulchan³¹ rules that if one is at a protracted feast and it is difficult for him to remain until the end of the meal, he is permitted to recite *bircas hamazon* with a group of three (if he cannot gather a group of ten) and leave early. He reasons that just as consideration for the host's honor justifies reciting of *bircas hamazon* without *zimun*, so too, one's discomfort is sufficient justification to forgo *zimun*.³²

דף נא:

בית הלל אומרים מברך על היין ואח"כ על היום

• The evening *kiddush* on Shabbos consists of two berachos: ברכת היין - a *bracha* on the wine (i.e., borei pri hagofen), and ברכת היום - a *bracha* regarding the holiness of Shabbos (i.e., ברוך מקדש השבת).

Bais Shammai assert that the ברכת היום precedes the ברכת היין. The halacha, however, follows Bais Hillel who maintain that the ברכת היין should be recited prior to the ברכת היום. Bais Hillel gives two reasons for their opinion.

(a) יין גורם לקדושה שתאמר - wine is the cause for the *bracha* of *kiddush* to be recited; i.e., if not for the wine, *kiddush* would not be recited.

(b) ברכת היין is recited more frequently than the ברכת היום and the operative rule is תדיר

קודם - the mitzvah which is more frequent takes precedence.

The P'nei Yehoshua points out that the obligation to recite the *bracha* of *kiddush* (ברכת היום) is min hatorah, whereas the mitzvah to recite *kiddush* over wine is only *miderabbanan* (as mentioned in Al Hadaf above דף לג). Consequently, he argues that the ברכת היום should take precedence because a mitzvah min hatorah should take precedence over a mitzvah *miderabbanan* (even if the mitzvah *miderabbanan* is more frequent).³³

Furthermore, the Tzlach asks why the Gemara says that one who does not have wine does not recite *kiddush*. He argues that a person lacking wine (or bread) should still be obligated to recite the *bracha* of *kiddush* (ברוך מקדש) without a cup of wine since the mitzvah of saying the *bracha* of *kiddush* is min hatorah whereas the halacha of reciting *kiddush* over wine is only *miderabbanan*.

In answer, the P'nei Yehoshua and the Tzlach suggest that one discharges his biblical obligation of *kiddush* when he recites the *bracha* of *מקדש השבת* in the maariv sh'moneh esray. He says the *bracha* *מקדש השבת* that one recites at home over a cup of wine is only *miderabbanan*. Therefore, if one does not have wine (or bread) there is no reason for him to repeat the *bracha* of *מקדש השבת* at home. [This is the meaning of יין גורם לקדושה שתאמר - wine is the cause of *kiddush* - since *kiddush* is not recited at home without wine.]³⁴

The Tzlach comments that according to this reasoning, a woman who did not daven maariv and recites *kiddush* for herself should be obligated to reverse the order of the berachos. Since in this case the *bracha* of *kiddush* is min hatorah, Bais Hillel would agree that it must precede the *bracha* over the wine.

The She'arim Metzuyanim b'Halacha comments that perhaps this is why some women, upon receiving a little *kiddush* wine from their husbands, recite their own *bracha borei pri hagofen* (and do not rely on their husband's *bracha*). Since they did not daven maariv, it is fitting that the *bracha* of *kiddush* (that they hear from their husbands) precede the *bracha borei pri hagofen* (that they recite

before drinking the wine offered to them by their husbands).³⁵

דף נב. ברכת המזון טעונה כוס

The Gemara discusses whether one is obligated to recite *bircas hamazon* over a cup of wine (just as *kiddush* and *havdalah* are recited over wine). The Rashba writes that according to all opinions reciting *bircas hamazon* over wine is a fulfillment of a mitzvah; the question is whether it is mandatory to do so.

The Shulchan Aruch³⁶ cites a dispute as to whether a cup of wine is required for *bircas hamazon*. The Mishna Berurah³⁷ writes that the accepted custom is to recite *bircas hamazon* even without a cup of wine. However, if one has wine available, it is a מצוה מן המובחר to recite *bircas hamazon* over wine (when the *bircas hamazon* is recited with a *zimun* of three or more people).

Tosfos (סוף ד"ה ורבי יהושע) questions why the *bracha* of בורא פרי הגפן recited over a כוס של is said after *bircas hamazon*, whereas the בורא פרי הגפן recited during *kiddush* is recited prior to the *bracha* of *kiddush* (according to Bais Hillel, as mentioned above).

Tosfos answers that the *bracha* פרי הגפן may not be recited prior to *bircas hamazon* because the *bircas hamazon*, which signifies the end of the meal, would constitute a הפסק (interruption) between the *bracha* of בורא פרי הגפן and the drinking of the wine. Only with regard to *kiddush* does Bais Hillel allow for the recitation of *kiddush* between the בורא פרי הגפן and the drinking of the wine because *kiddush* signifies the start of the meal (אין קידוש אלא) and is therefore not a *hefsek*.

Alternatively, the Shleima Mishnaso answers that the two arguments that Bais Hillel presented for giving precedence to the *bracha* on the wine (see above) do not apply to *bircas hamazon*. The first reason of יין גורם לקדושה - wine is the cause for the *bracha* of *kiddush* to be recited (i.e., if not for the wine *kiddush* would not be recited) - is not relevant to *bircas hamazon* because wine is not essential to *bircas hamazon*. If one cannot acquire wine he recites *bircas hamazon* without wine, and

consequently, it cannot be argued that the wine is the cause for the recitation of the *bircas hamazon*. Also, the second reason of ברכת היין תדיר (the *bracha* over wine is recited more frequently) is not relevant because the *bracha* of *bircas hamazon* is *min hatorah*, and a mitzvah *miderabbanan* does not take precedence over a mitzvah *min hatorah* even if it is a more frequent mitzvah (as mentioned above).

דף נג:

חטוף וברוך דמברך עדיף

1] The Gemara relates that Rav told his son Chiya חטוף וברוך meaning that when you participate in a *zimun* you should make an effort to be the מזמן (the one who recites the *bircas hamazon* on behalf of the others), rather than one who merely listens and responds אמן.

The Gemara then cites others who disagree and are of the opinion that one who responds אמן (to another's *bracha*) receives greater reward than the *m'vorach* - the one who recites the *bracha*.

The Shulchan Aruch³⁸ rules in accordance with Rav that one should attempt to be מזמן.

The Mishna Berurah³⁹ deliberates as to whether this halacha applies even today when everyone recites *bircas hamazon* on their own. Perhaps Rav attached special significance to the leader of the *zimun* only in cases when the מזמן recites *bircas hamazon* on behalf of all the others in the group. Perhaps today it is not so important to lead the *zimun* since everyone recites *bircas hamazon* on their own.

2] גדול העונה אמן יותר מהמברך

R' Yosi states that the one who responds אמן is more praiseworthy than the one who recites the *bracha* (גדול העונה אמן יותר מהמברך).

The Meiri (Nazir 66a) offers the following explanation for this unique assertion. R' Yosi felt that one who listens to a *bracha* is able to have more *kavonah* - concentration and devotion - than the one reciting the *bracha*. He is of the opinion that it is better to listen to a *bracha* and have a lot of *kavonah* than to recite a *bracha* with only a small measure of *kavonah*. The Meiri concludes that accordingly, if one feels that he can concentrate properly while

reciting the *bracha* then it is worthwhile for him to try to be the one to recite the *bracha* on behalf of others rather than to be from the group of listeners who must pay attention to someone else's *bracha*.

Alternatively, the Meromei Sodeh cites the Gemara in Yoma 37a which derives from the posuk *כי שם ה' אקרא הבו גודל לאלוקינו* (Devarim 32:3) that when one hears the name of Hashem proclaimed or a *bracha* being recited, he is obligated to confirm his belief in Hashem by responding *amen*. R' Yosi holds that responding *amen* is a fulfillment of a biblical mitzvah - even if it is in response to a rabbinically ordained *bracha*.⁴⁰ Therefore he says responding *amen* is more praiseworthy than reciting a *bracha*.⁴¹

דף נד.

ואהבת את ה' אלוקיך בשני יצריך

1] The Mishna derives from the extra letter ב"ב in the phrase *לבבך ואהבת את ה' אלוקיך בכל*, that one must love Hashem with both of his hearts, as it were. That is, with his *יצר טוב* (good inclination) and with his *יצר הרע* (evil inclination).

The Even Shlomo⁴² explains that the term *yetzer tov* refers to man's spiritual yearnings, and *yetzer horah* refers to man's desire for worldly matters, such as, for good food and wine.

The Posuk teaches that one should serve Hashem even when he engages in worldly pursuits. One can accomplish this if he does so with the proper intentions. Hashem created man with a desire for worldly matters because a minimum of worldly needs is necessary for man's survival in this world. If people would not eat any food they would obviously die of starvation, and if people would not get married the human species would become extinct. One who pursues worldly matters, not as an end in itself, but to ensure his survival and enable him to serve Hashem, fulfills the obligation to love Hashem with both of his hearts.⁴³

Alternatively, the Even Yisrael⁴⁴ explains that although it is laudatory for one to minimize his pursuit of worldly desires and involve himself in spiritual matters as much as possible,

with regard to one's friends one must take the opposite approach. When one has a guest in his home it is inappropriate to act piously and minimize his worldly pleasures. Rather, on such occasions one must serve Hashem with his *yetzer horah*, so to speak, meaning, he should maximize his friend's comfort by serving the best foods and offering comfortable accommodations.⁴⁵

2] The Mishna says that one who builds himself a new house must recite the *bracha sh'hecheyanu*. This also applies to one who buys a new house.

The Lev Chaim⁴⁶ maintains that one who buys a house on credit [or with a mortgage] should not recite *sh'hecheyanu*. He argues that if the house is not paid for, the owner's joy is not complete and therefore *sh'hecheyanu* is not warranted at the time of the purchase. Later, when the purchaser eventually pays off his mortgage, he is not obligated to recite *sh'hecheyanu* because by that time the initial joy experienced at the time of the purchase has worn off.

דף נה.

אין הקב"ה נותן חכמה אלא למי שיש בו חכמה

1] R' Yochanan, citing a posuk in Daniel 2:21 *יהי חכמתא לחכימין*, says that Hashem gives wisdom only to one who has wisdom. This statement requires clarification for how does one acquire his initial measure of wisdom if Hashem grants wisdom only to the wise.

The Nefesh Hachaim⁴⁷ explains that the initial wisdom that R' Yochanan refers to is *יראת ה'* - fear of Hashem - as the posuk states *ה' ראשית חכמה יראת ה'* - the prerequisite for wisdom is the fear of Hashem (Tehillim 111:10).

The She'arim Metzuyananim b'Halacha finds difficulty with R' Yochanan's statement because the Gemara in Niddah 16b says that Hashem determines whether a person will be wise or foolish prior to his birth, at the moment he is conceived. How then, could R' Yochanan say that Hashem gives wisdom only to one who has wisdom or *yiras shomaim*?

In answer, the She'arim Metzuyanim b'Halacha suggests that R' Yochanan means that Hashem grants additional wisdom to one who properly utilizes his initial measure of wisdom. If one exerts himself and tries his utmost to understand the Torah, Hashem will grant him additional wisdom.⁴⁸ [See also Vilna Gaon to Mishlei 23:24 who interprets the term חכם as one who studies Torah to the degree that he is מחדש חידושים תמיד בתורתו - constantly thinks of novel Torah thoughts.]

R' Chaim Vital,⁴⁹ the chief disciple of the Ari z"l, explains that the additional wisdom referred to is the secrets of the Torah (i.e., Kabbalah). Before one can delve into and acquire this wisdom, one must be a *chacham*, meaning that he must be well-versed in all other areas of Torah study (i.e., he should know the entire *shas* with all the major commentaries).

2] בענין חלומות

There seems to be contradictory statements in the Gemara regarding the credibility of dreams:

(a) Some statements in the Gemara indicate that dreams are an accurate portent of the future. The Gemara indicates, for example, that some dreams are inherently bad (meaning, they foretell misfortune) while others are inherently good (meaning, they foretell good fortune).

(b) Other statements indicate that the outcome of a dream depends entirely on how the dream is interpreted.

(c) There are yet other statements which indicate that dreams are merely a result of one's daytime thoughts and therefore have no significance at all.

[See Maharsha here and Rabbeinu Bachya (at the beginning of Parshas Mikeitz) who explain that there are several different types of dreams. For elaboration on this topic, see the Artscroll edition of Berachos here under the headings "Dreams, their meaning and interpretation" and "Dream interpretation and power of speech".]

- In terms of relying on dream with respect to halachic matters, see Gemara Sanhedrin 30a (דברי חלומות לא מעלין ולא מורידין) and Al Hadaf ibid.⁵⁰

דף נו:

1] הרואה קדירה בחלום

The Gemara says that the vision of a pot in one's dream is a symbol of peace, as the posuk (Yeshaya 26:12) states - שלום לנותשפתה' Hashem, prepare peace for us. Even though the posuk cited does not mention a pot, the Gemara perceives a connection between a pot and peace because the term תשפת (which is used with regard to peace, תשפת שלום) is used with regard to setting a pot on the fire (see Melachim 2:4, ד"ה ישפות, and Rashi to Chullin 84a שפות הסיר).

The Sefer Ma'on Habracha cites R' Chaim of Volozin who offers the following explanation as to why a pot signifies peace. The elements of fire and water are opposites which cannot coexist. When there is an encounter between water and fire, either the water will extinguish the fire or the fire will evaporate the water. However, it is possible for these two elements to coexist when water is placed in a pot over the fire. A pot signifies peace because it mediates, so to speak, between opposing elements.⁵¹

Taking this concept one step further, he explains that this is the significance of breaking a plate at a marriage engagement (תנאים). It is our hope and prayer that the newly-engaged couple live in complete harmony without the need of outside intervention or mediation, and therefore, the plate, which signifies a mediator, is smashed.

2] הרואה קנה בחלום

The Gemara says that seeing a קנה - reed - in one's dream symbolizes wisdom as the posuk states חכמהקנה - acquire wisdom. In addition to the fact that the Hebrew term "קנה" means "acquire" and also means "reed", there is perhaps another connection between a reed and the acquisition of wisdom.

The Mishna in Avos (1:6) states לך חברקנה which is commonly interpreted as meaning acquire for yourself a friend. The Kav Hayashar,⁵² however, interprets that a reed (i.e., a quill) should be your friend. The Mishna (according to this interpretation) is advising one to make good use of a pen in committing all his Torah thoughts to writing. In the same vein our Gemara says that a reed is a symbol of wisdom

because by writing one's Torah thoughts one attains clarity and remembers them much better.⁵³

Alternatively, the Imrei Noam⁵⁴ interprets קנה as meaning the windpipe (trachea). In contrast to the food pipe (esophagus) which signifies eating and material pleasure, the windpipe signifies wisdom acquired through utilizing one's speech for Torah.⁵⁵

דף נז.

והני מילי דלא ידע בה ולא הרהר בה מאורתא

1] Listed among the dreams that the Gemara considers as propitious omens is dreaming of having relations with a married woman (הבא על). (אשת איש בחלום מובטח לו שהוא בן עולם הבא). The Gemara qualifies this by saying that this only applies if the woman that he beheld in his dream is unfamiliar to him and he has not thought about her before going to sleep.⁵⁶ If one had sinful thoughts about a certain woman during the day, then dreaming about her is, of course, not a favorable sign.

R' Shmuel bar Nachmeini says in the name of R' Yonason (end of 55b) that all dreams are a result of a person's daytime thoughts. Rava supports this assertion from the fact that people do not dream of golden palm trees or other fictional and farfetched spectacles that they do not see in real life.

The Shvus Yaakov⁵⁷ asks if every dream is a result of one's daytime thoughts how could one dream about a woman he never met?

In answer, he distinguishes between thoughts that one had the evening before the dream and thoughts that one had at some earlier time. R' Shmuel bar Nachmeini only means that people do not dream of images that are completely fictitious, such as a golden palm tree or an elephant going through the eye of a needle. However, it is possible for one to dream about a woman he is unfamiliar with, even though he never thought about her.⁵⁸

2] Even though it is prohibited to fast on Shabbos, one who has a bad dream [and is in distress] is permitted to fast, because fasting is an effective remedy for a bad dream (see Gemara and Tosfos, end of 31b).

The Shulchan Aruch⁵⁹ cites Rav Amram who says that today, one who had a bad dream should not fast on Shabbos because we do not understand the true meaning of dreams today, and the dream might not really be a bad dream. However, he cites Rav Hai Gaon⁶⁰ who enumerates three dreams which are known to be bad signs and warrant fasting on Shabbos even today (if one is agonizing over them⁶¹).⁶²

The Taz⁶³ maintains that fasting for a bad dream is warranted only if the dream was not a result of one's daytime thoughts. However, if one dreams of something he thought about during the day he should not be concerned about it and he has no reason to fast. The Shvus Yaakov⁶⁴ cites our Gemara in support of the Taz, because the Gemara says that the favorable significance attached to one who dreams about an אשת איש is negated if one thought about that woman during the daytime.

The T'shuvos Chinuch Bais Yehuda⁶⁵ disagrees with the Taz and maintains that a bad dream is significant even if it seems to have resulted from one's daytime thoughts. He maintains that our Gemara takes the person's daytime thoughts into consideration only because fantasizing about an אשת איש is a sin. Therefore, the person's subsequent dream about the woman cannot be interpreted in a favorable light since it is a result of sinful thoughts. Other dreams, however, are meaningful even if they resulted from one's daytime thoughts.⁶⁶

דף נח.

הרואה מלכי עכו"ם מברך ברוך שנתן מכבודו

The braysoh says that one who sees a non-Jewish king should recite the *bracha* (blessed is He who gives from His glory to his creations). The Gemara relates that even though Rav Sheishes was blind, when a king passed by in his town he went to greet him, and when he perceived that the king was passing by he blessed him.

The Magen Avraham⁶⁷ codifies this Gemara and rules that even a blind person can recite a blessing in the presence of a king.

The Bircai Yosef⁶⁸ deduces from this that one need not actually see the king in order to recite this blessing; as long as one is aware of

the king's presence it is sufficient. Therefore, if one observes a royal procession and see the king's motorcade pass by, he may recite the blessing even though he cannot actually see the king.

The K'sav Sofer⁶⁹ disputes the Bircai Yosef's comparison and maintains that the *bracha* is not recited if there is something separating the king from the crowd and concealing him from their view. When the king is in a covered wagon or boat, the *bracha* is not recited because there is a partition between the king and the crowd. A blind person may recite the *bracha* in the king's presence because, although he cannot see the king, there is nothing separating him from the king.⁷⁰

The Eliyahu Rabba⁷¹ understands the Gemara differently than the Magen Avraham and consequently disputes his ruling. The Gemara says that when the king passed by, Rav Sheishes blessed him. The Magen Avraham takes this to mean that Rav Sheishes recited the *bracha* שנתן מכבודו לבריותיו and he therefore rules that even a blind person should recite this *bracha*. The Eliyahu Rabba, however, asserts that Rav Sheishes did not recite the *bracha* שנתן מכבודו וכו', rather he merely greeted the king and respectfully conferred his personal blessings upon him. Hence, the Eliyahu Rabba maintains that there is no indication in this Gemara that a blind person should recite the *bracha* שנתן מכבודו וכו' in the presence of a king.

דף נט:

הרואה ים הגדול לפרקים

The Mishna (54a) says that one who sees [great] mountains, seas or deserts should recite the *bracha* עושה מעשה בראשית - Blessed are You Hashem Who makes the work of creation. One who sees the ים הגדול (lit., the Great Sea) recites the *bracha* ברוך שעשה את הים הגדול - Blessed are You Hashem Who created the *yam hagadol*.⁷² The Mishna adds that this *bracha* is not recited by one who sees the *yam hagadol* frequently. It is only recited by one who sees it לפרקים - at intervals. [The Shulchan Aruch⁷³ takes ים הגדול to mean the Mediterranean Sea. Many Achronim,⁷⁴ based on the T'shuvos

Horosh,⁷⁵ disagree and maintain that ים הגדול refers to the אוקיינוס which is taken by many to mean either the Atlantic or Pacific Ocean. Others⁷⁶ contend that the אוקיינוס includes all the large bodies of water that encircle the world (including the Mediterranean).]

The Gemara (59b) explains that לפרקים refers to thirty day intervals; if one sees the *yam hagadol* after a lapse of less than thirty days, he does not recite a *bracha*. Tosfos (54a ד"ה הרואה) says that the same thirty-day minimum applies to the other ברכות הראייה (sight berachos, such as the *bracha* on mountains, or the *bracha* ברוך שעשה נסים that one recites upon seeing the place that a miracle occurred, or the *bracha* ברוך שנתן מכבודו וכו' that is recited for kings).

The Magen Avraham,⁷⁷ citing the Radvaz, rules that if one sees several different kings on the same day, he repeats the *bracha* for each king he sees.

The Be'er Heitev⁷⁸ applies the same principle to the *bracha* recited upon seeing a cemetery (i.e., ברוך אשר יצר אתכם בדין וכו', Gemara 58b). If one sees the same cemetery twice in one month, he does not repeat the *bracha*, but if he sees different cemeteries, he recites a *bracha* on each new cemetery. [The Radvaz⁷⁹ adds that if additional corpses were buried at the cemetery since the last sighting, a new *bracha* is recited when he sees the cemetery again.]

The Eliyahu Rabba⁸⁰ notes a contradiction: With regard to the *bracha* ברוך משנה הבריות that is recited upon seeing a strange-looking person (e.g., a dwarf, Gemara 58b), the Magen Avraham⁸¹ rules that the *bracha* is not recited if one has seen such a person within the past thirty days. The Magen Avraham indicates that as long as one has seen a similar sight during the month he does not repeat the *bracha* even though he did not see exactly the same sight. This appears to contradict his position cited above with regard to kings - that each new king warrants a new *bracha*.

In answer, the Keren L'Dovid⁸² draws a distinction between the *bracha* on a king and the *bracha* on an unusual person or creature. The *bracha* recited upon seeing a king is for the

sake of honoring the king, and therefore a new *bracha* is recited for each new king.⁸³ On the other hand, the *bracha* recited upon seeing an odd creature is not in honor of the creature, but rather to praise Hashem for the diversity in his creation. If thirty days has not lapsed since one has seen a similar creature there is no need to repeat the *bracha* because the second sighting does not make a significant impression on a person.⁸⁴

דף ט:

כי סיים מסאני לימא ברוך שעשה לי כל צרכי

Upon rising in the morning, one recites a series of berachos (called *ברכות השחר*) in appreciation for the many kindnesses that Hashem provides for us. The Gemara describes the appropriate time for each *bracha*. For example, upon opening one's eyes he should recite *ברוך פוקח עורים* - Blessed is Hashem Who gives sight to the blind - and so on. [The Shulchan Aruch⁸⁵ writes that the custom today is to recite the entire series of *berachos* at one time in the *Bais Haknesses* rather than reciting them separately as one rises and gets dressed.]

The Gemara says that when one dons his shoes he should recite the *bracha* *ברוך שעשה לי כל צרכי* - Blessed is Hashem Who provides me with all my needs. The Avudraham explains that without shoes a person cannot leave his house to attend to his needs. Therefore, when donning shoes one blesses Hashem for providing for his needs.

Alternatively, the She'lah⁸⁶ explains that by donning shoes [which are typically made of leather] a person demonstrates his supremacy over all other elements of creation. The four forms of creation (in ascending order of importance) are; *דומם, צומח, חי, מדבר* - inert matter, plant life, animal life and humans. When a person takes the hide of an animal and fashions them into a pair of shoes for his feet, he demonstrates the supremacy of humans over the entire creation including animals.⁸⁷ Therefore, upon donning shoes the *bracha* of *ברוך שעשה לי כל צרכי* is appropriate, because wearing shoes demonstrates that Hashem has given man the ability to utilize everything in the world for his needs.⁸⁸

דף טא.

דו פרצופין ברא הקב"ה

1] R' Yirmiyah ben Elazar said that Hashem initially created man as a double figure consisting of a male and a female. These two figures were attached back to back and they were subsequently separated.

The Hilchos Ketanos⁸⁹ maintains that this was the case, not only for man, but for the entire animal kingdom.

The Ramban (Bereishis 2:24) disagrees and maintains that only man was created as a double figure, but animals were created as separate figures, male and female separately. He explains that it is for this reason that animals do not maintain the same mate for an extended time, in contrast to man who is naturally loyal to his wife for an entire lifetime. Since man's forebears, Adam and Chava, were created as a single being, there is a natural loyalty and devotion between man and wife which is not found among the animal kingdom.

The T'shuvos HoRashba⁹⁰ likewise maintains that only Adam was created as a double figure, not the animals. He explains that Adam was originally created in this manner because Hashem wanted man and wife to live in harmony and assist each other as though they were one and the same person.

2] חד אמר פרצוף אחד אמר זנב

The Gemara cites a dispute between Rav and Shmuel as to the interpretation of the term *צלע* in the posuk *את הצלע את האלקים* - ויבן ה' אלוקים את הצלע - Hashem fashioned Adam's side into a woman. One states that *צלע* refers to the female figure that was initially attached to Adam (as R' Yirmiyah says).

The other opinion asserts that *צלע* means a tail. [Apparently, this opinion holds that Adam initially had a tail which Hashem removed and fashioned into a woman.⁹¹]

HoRav Yosef Engel⁹² suggests that this dispute has halachic ramifications.

- Shmuel (Yevamos 60b) derives from the posuk *לא טוב היות האדם לבדו* [Hashem said] it is not good for a man to be alone - that even if a man has children and has already fulfilled the

mitzvah of פרו ורבו, if he loses his wife, he should not remain single, but rather he is obligated to remarry. The Radak⁹³ deliberates whether women too are proscribed from remaining single.

HoRav Yosef Engel suggests that the resolution of this query is linked to the dispute of Rav and Shmuel. According to the opinion that Adam was initially created as a double figure, it follows that the issur to remain single applies to women as well as men, because Hashem declared לא טוב היות האדם לבדו with regard to the female figure also.⁹⁴ However, according to the opinion that Chava was fashioned from a tail, she was not in existence when this statement was proclaimed and accordingly it might not apply to females.⁹⁵

דף סב.

כשם שנפרעין מן המתים כך נפרעין מן הספדינים

The Gemara relates that R' Nachman challenged a eulogizer when he heard him classify a certain deceased individual as a צנוע (a man who behaved with modesty). Rav Nachman cited a braysoh which says that one is not classified as a צנוע unless he behaves modestly even in the bathroom. Hence, R' Nachman told the eulogizer that unless he can attest to the deceased's conduct in the bathroom, he has no right to label him as a צנוע.

The Gemara explains that Rav Nachman was concerned about the veracity of the eulogy because there is a braysoh which indicates that it is prohibited to make, and listen to, false claims about a deceased person. The braysoh states that just as the deceased is punished, the eulogizer [who falsely praises him] and those who listen in agreement without voicing an objection are also punished.

The Aruch⁹⁶ understands that the braysoh is referring to a deceased sinner and he interprets the braysoh to mean, just as the deceased is punished for his sins, so too, are those who eulogize him and falsely claim that he was righteous.

The Rosh⁹⁷ maintains that the braysoh is not referring to a sinner, but to any deceased individual who is excessively praised. He interprets the braysoh to mean, just as the

deceased is punished as a result of the excessive praise, so are the eulogizers punished [for bringing harm to the deceased].⁹⁸ The Rosh explains that attributing non-existent qualities and deeds to the deceased is detrimental to him because this prompts the Heavenly court to condemn him for lacking those deeds.⁹⁹

- The Shulchan Aruch,¹⁰⁰ citing a braysoh in Avel Rabbasi (Semachos) 3:5, writes that although a eulogizer may not attribute non-existent qualities to the deceased, he is permitted to slightly exaggerate his actual qualities and deeds.

The Bach¹⁰¹ explains that one is permitted to slightly exaggerate the deceased's qualities because there is an great mitzvah to properly eulogize a deceased person (see Shabbos 105b).¹⁰² If a eulogizer is not permitted to engage in some exaggeration, there is concern that he might understate the deceased's qualities. To ensure that the deceased in given his due praise, permission was granted to engage in some measure of exaggeration.¹⁰³

דף סג.

למה נסמכה פרשת סוטה לפרשת תרומות

1] The Gemara discusses some of the benefits of tithing one's produce. Rav Nachman bar Yitzchak derives from a posuk that one who gives *terumos* and *maasros* will be blessed with wealth. Conversely, the Gemara says that one who withholds these gifts from the Kohen and Levi will become poor.

Moreover, Chizkiya the son of R' Parnach said in the name of R' Yochanan that one who withholds *terumos* from the Kohen, will eventually be compelled to seek the services of a Kohen for a most unpleasant reason. He derives from the Torah's juxtaposition of the *sotah* passage (the portion concerning a suspected adulteress) with a verse regarding *terumos* and *maasros*, that if one withholds *terumah* from the Kohen, his wife will eventually become a *sotah* and he will have to bring her to the Kohen in the Bais Hamikdash who administers the *sotah* drink (to ascertain whether she is guilty or innocent).

• Hashem said (Sh'mos 25:2), ויקחו לי תרומה - take for Me *terumah*. Regarding the term "לי", Rashi comments לשמי - for My Name.

The Tzlach cites his grandfather, R' Hershel, who suggests that Rashi is perhaps alluding to the idea mentioned in our Gemara that failure to give *terumah* can result in having to administer the *sotah* drink. Now, the *sotah* drink is produced by erasing Hashem's name from a parchment into the water. Thus, Hashem entreats His nation to give *terumah* for "לשמי" - for the sake of "My name", meaning, for the sake of avoiding the erasure of Hashem's name.

2] The Gevul Binyamin¹⁰⁴ makes the following connection between failure to give *terumos* and one's wife becoming a *sotah*.

As stated above, failure to give *terumos* results in poverty. Rav Yehuda states in Bava Metzia 49a that the lack of food in one's home results in strife between husband and wife. Strife in the home can lead to adultery. Thus, failure to give *terumos* can result in the wife becoming a *sotah*.

Alternatively, the Chasam Sofer¹⁰⁵ notes another connection. We find two acts which help a person acquire the blessing of wealth. (a) Giving *terumos* and *maasros* (as the Gemara here says). (b) Honoring one's wife, as the Gemara in Bava Metzia (59b) says that one who honors his wife (e.g., by buying her beautiful clothing and jewelry¹⁰⁶) will be blessed with wealth.

Someone who disobeys the laws of *terumos* and *maasros* (and thus cannot acquire wealth through the first method) might be tempted to acquire the blessing of wealth via the second method, i.e., by buying his wife beautiful clothing and jewelry.

R' Yochanan cautions against this strategy claiming that the result of buying one's wife an abundance of beautiful clothing and jewelry (with the intent to evade the laws *terumos* and *maasros*) can steer her on to a path of adultery. Then the husband will be forced to seek out a

Kohen to administer the *sotah* drink to his wife instead seeking a Kohen to accept his *terumah*.¹⁰⁷

דף סד

סיני ועוקר הרים איזה מהם קודם

The Gemara relates that Rav Yosef had a wide-ranging knowledge of Mishnayos and braysos and was known as "Sinai" (א בקי). In contrast Rabba was known as עוקר הרים (one who uproots mountains) because he had an especially keen and analytical mind (i.e., א חריף).

When the Yeshiva in Bavel needed a Rosh Yeshiva (a scholar to head the Yeshiva) they sent a message to the sages of Eretz Yisrael inquiring which of the two attributes is preferable, סיני or עוקר הרים? The sages of Eretz Yisrael replied that סיני (א בקי) is preferable, because א בקי's service is indispensable since without proper knowledge of all the relevant Mishnayos and braysos it is not possible to render correct decisions through one's analytical mind alone.

Based on this Gemara the Pri Megadim¹⁰⁸ rules that a rabbi who is א בקי should be honored with an aliyah to the Torah before one who is א חריף (has a sharp mind).

Horav Shlomo Kluger¹⁰⁹ maintains that the standard of סיני is not as essential today as it was in Talmudic times when they did not have seforim (books of Torah). Today a rabbi can reach a proper halachic decision by researching the seforim (i.e., the Shulchan Aruch and the commentaries). Therefore the attribute of חריף is preferable today.¹¹⁰

The Chikrei Lev¹¹¹ also writes that if a rabbi is versed in the Shulchan Aruch and Poskim, he is not required to be versed in the entire Torah (as was required of a leader in Talmudic times), albeit having such knowledge is commendable. ■

סליק קונטרס "על הדף" על מסכת ברכות
בריך רחמנא דסייען

דף מט

1) בממי כאן הביא שיטת ריב"ל דס"ל דתשעה ועבד מצטרפין למנין (ומבאר הא דשחרור ר"א את עבדו משום דלא היה שם אלא שמונה ישראלים ובי עבדים, ולהלכה לא קיייל כוותי, עי' תוס' דף מח. ד"ה ולית, ועי' שו"ע או"ח סימן נ"ה ס"ד וביה"ל שם).

2) עי' ח"י הריטב"א בניטין דף לח: וכן בר"ן שם וכן בשו"ת הריטב"א סימן מ"ג בשם רבו הרא"ה שהעלו דעשה ד"לעולם בהם תעבודו" אינו עשה גמור אלא אסמכתא ומשו"ה שייך לדחותו משום מצוה דרבנן של תפלה וקדושה בציבור, וע"ע בר"ן ורשב"א שם בשם הרמב"ן דס"ל דאיסור "לעולם בהם תעבודו" בגדר "לא תחנם" שלא יתן לעבד מתנת חנם בלי צורך אבל אם יש הנאה לבעלים מותר לשחררו ולכך מותר היה לר"א לשחררו כדי שיתפלל עם מנין, ועי' מג"א או"ח סימן צ' סק"ל שתמה ע"ז ממכילתין דלפ"ז למה צריכין דוקא "מצוה דרביס", ועי' מה שתיי בחי חת"ס שם בגיטין ועל דרך זה כתב גם באג"מ או"ח ח"א סימן קפ"ח, ע"ש.

3) ועוד טעם דלא שייך כאן עשה דוחה ל"ת משום דחיוב תפלה וקרה"ת בצבור אינו אלא חיוב מדרבנן (עי' תוס' ור"א שם כאן), ועוד טעם משום דחט"ס ע"ן תוס' של פת"ל דלא היו מקיימין מצוה קדושה עד אחר שכבר עבר על איסור לעולם בהם תעבודו (עי' תוס' פסחים דף נט.).

4) ספר "מנחת קטאות" עמ"ס סוטה דף מד, מובא בספר "מגדים חדשים" כאן.

5) מצוה תרי"ג.

6) לכאוי דבר זה תלוי בשאלה הידוע אם הגוי"ש "לה" עבד מאשה בא להחמיר על העבד ולחייבו במצוה כאשר ובלו דרשה זו לא היה עבד חייב בכלום, או דילמא בלי הגוי"ש היה עבד חייב בכל המצוות ובה הגוי"ש להקל, עי' תוס' ב"ק דף פח. ד"ה יהא וכן בטורי אבן ריש מס' תניגה במילואים דנקט כצד א' ולפ"ז כתב הטורי אבן דאף אם טעם הפטור של נשים לגבי איזה מצוה לא שייך לעבד מ"מ עבדים פטורים מאותה מצוה כיון דאין לנו מקור לחייבם (וזהו שלא כמשי"כ הרמב"ם בפ"י בה"י עכו"ם ה"ב, ע"ש בכס"מ ולח"מ).

7) עי' בספר מגדים חדשים כאן שדן בזה ור"ל דאף אם עבד חייב בפרשת זכור מ"מ אינו מצטרף למנין עשרה משום דכתיב "ונקדשתי בתוך בני ישראל" ועבדים לא מיקרי "בני ישראל", וע"ע שם שהביא עוד להקשות מספר "תורה לשמה" סימן ת"ג דאולי שיחרר ר"א את עבדו לשלם מנין לנשיאת כפים שהוא מצוה דאורייתא.

דף מח

8) כן איתא לעיל בדף כ: וכן קיייל ברמב"ם ריש ה"ל ברכות א-א ובשו"ע סימן קפ"ו סעיף ב' (וס"מ קצ"ז ס"ד) דאינו חייב לברך מן התורה א"כ אכל כדי שביעה, ועי' בביה"ל סימן קפ"ד ד"ה בכזית שהביא חולקין דס"ל דמ"ה"ת חייב לברך על הכזית, וע"ע עוד שכתב דגם שאר אוכלין שאכל כדי ללפת בהן את הפת מצטרפים לשיעור כדי שביעה.

9) וכתב ה"י וינה כאן (והב"י בסימן קצ"ז) דלעת הרמב"ם כדעת הבה"ג עי' לח"מ פרק ה' מה"ל ברכות ה"ל ט"ז.

10) סימן קצ"ז סעיף ד', וע"ע במשנ"ב ס"ק כ"ג שכי' דבזו"ז שכל א' מברך לעצמו אין קפידא בזה כיון דברכת הזימון לרוב פוסקים הוא רק מדרבנן.

11) לקוטי פ"ח או"ח סימן קפ"ד מובא בשערי תשובה ס"י קפ"ו סק"ו.

12) פ"י כלאים ה"ל כ"ז, ופ"ט מה"ל טומאת מת הי"ד.

13) סוף סימן ו'.

14) והנה לפי מה שהבאנו לעיל דעת הרמב"ם כהב"ה"ג ממילא תו ליכא למימר לשיטת הרמב"ם שיכול ראובן (שחיובו אינו אלא מדרבנן) להוציא את שמעון, וקצת צ"ע ממה דלא הזכיר זאת רע"א.

דף מט

15) סימן קפ"ו סעיף ב' (עי' לעיל).

16) מובא בב"י וברמ"א ס"ח קצ"ז.

17) וכן מובאר בחי' הרשב"א לקמן סוף דף נב. ד"ה תרי תנאי דלמ"ד ושבעת זו שתיה צריך לשתות קודם ברכה"ז, וע"ע שפי' הברייתא שם דזהו שיטת ב"ש אבל ב"ה לא ס"ל דושבעת זו שתיה (וא"כ לכאוי לא צריכין לחוש לדעה זו ולהלכה לפי דעת הרשב"א).

18) סוף סימן קצ"ז.

19) סימן כ"ח סק"ב (איירי שם בשיטת הרשב"א ולא הביא היראים).

20) (להגרי"ח קניבסק) סימן קפ"ד סוף סק"ב.

דף נ

21) דעיקר דינא דזימון הוא שחיד מוציא כולם (עי' משנ"ב סימן קפ"ג ס"ק כ"ז וכ"ח).

22) שם סימן קפ"ג סעיף ז' וע"ש ברמ"א ובמשנ"ב.

23) סימן קצ"ג וכן פסק בשולחן ערוך שם סעיף א', והנה הרא"ש כתב (סוף סימן כ"ז) דטוב להם (לברך בלי זימון של עשרה) ממה שלא היו יוצאין בבה"מ"ן שלא היו יכולין לשמוע את המברך (משמע שחשש רבא שאם יברך עם ריש גלותא לא יהא יוצא חובת ברה"מ"ז, אבל הב"י פירוש דכוותו הוא על ברכת הזימון דברה"מ"ז יכול לברך בלחש לעצמו אולם עי' ב"ח שפי' הרא"ש כפשוטו [ויש לחקור לפי הב"ח דאולי בזה"ז דכל א' מברך לעצמו אולי אין היתר לחלק כיון דליכא חשש שלא יהא יוצא ידי עיקר חובת ברה"מ"ז].

24) שם סק"ד (מובא במשנ"ב שם ס"ק י"ז בשם אחרונים).

25) עי' מה שהקי' ע"ז החזו"א סימן ל"א סק"ב.

26) זו"ל חידושי הרשב"א - דגדול כבוד הבריות שדוחה לא תעשה (ועי' משנ"ב לקמן).

27) סימן קצ"ג סק"ז, וכתב דכ"ש הוא דאם נדחה מצות זימון משום קפידת בעל הבית כ"ש שנדחה לצורך מצוה ועי' משנ"ב שם ס"ק ט"ז.

28) חו"מ סימן של"ז, ועי' מג"א סימן קצ"א שכי' שמחויבין בזימון, אולם ההכמת שלמה בחו"מ שם מפרש דגם הסמ"ע מודה שחייבים בזימון אם כולם נגמרו כאחד, ולא איירי הסמ"ע אלא היכי שגמר א' קודם חברו שאין להמתין עליהם וכן נקט המשנ"ב שם סוף סק"ב.

29) או"ח ח"א סימן נ"ו.

30) ריש סימן קצ"ג, והביא האג"מ שכן משמע במג"א סימן תקנ"ב סק"ט (על פי הרמ"א בסימן קצ"ג סעיף ג' שכי' שאין צירוף בבית עכו"ם).

31) סימן קצ"ג סק"ט ע"ש.

32) (משמע מדברי הערוה"ש שהטעם דנדחית מצות זימון הוא משום קפידת בעה"ב ולא משום דגדול כבוד הבריות כמש"כ הרשב"א, ודו"ק) והנה עי' ב"ח ריש סימן ר' שפסק כדברי רב האי גאון (מובא בחי' הרשב"א) דס"ל דמותר לצאת לשוק בלי זימון אם גומר סעודתו קודם האחרים דלא חל עליו חיוב זימון א"כ גומר סעודתו עם האחרים (והשו"ע שם לא פסק כן) [והמג"א שם סק"ב הביא שכן משמע ברש"י ריש דף נ: שכי' שהפושטים הללו היו צריכים לצאת לשוק ע"ש, (אולם אולי לא התיר רש"י לצאת א"כ נשאר שלשה (או עשרה) בלעדו, וע"ע במשנ"ב שם סק"ה שכי' דכל האחרונים חולקים על הב"ח].

דף נא

33) כך נקט הפנ"י לפשיטות וכתב דכן משמע בכל דוכתא, אולם הצ"ח כאן כתב דלפוס ריהטא נראה דמצוה מן התורה יש לה מעלת "מקודש" (כלפי מצוה מדרבנן) וממילא תלוי בהא דאבטיא לן זבחים דף צ: דאזיה עדיף תדיר או מקודש (ולא איפשטא) וכן כתב הישועות יעקב או"ח סימן רע"א סק"א.

34) ע"ע בישועות יעקב הנ"ל שהקי' קושיות הצ"ח ותי' כמותו.

35) ועי' בדגול מרבבה ריש סימן רע"א שהקי' האיך מוציא איש את אשתו בקידוש כיון שהאיש כבר התפלל מעריב והאשה לא התפללה וחיבת בקידוש מה"ת והרי כתב הרא"ש לעיל בפ"ג סוף סימן י"ג דנשים אינן בכלל ערבות, וכן הקי' הישועות יעקב [ומצדד הדגמ"ר שם לתרץ דאולי מודה הרא"ש דהאנשים הוו ערבים בעד הנשים אע"פ שאין הנשים ערבים בעד האנשים, וע"ע בחי' רע"א שם על שו"ע (על מג"א סק"ב) שר"ל דעל מצות שהנשים מחויבות בהם גם הנשים בכלל ערבות, ע"ש] ועי' שו"ת אמרי יוסף ח"א סימן כ"ב (מובא בשמ"ב על קצור שו"ע סימן ע"ז סק"ה) שכי' דנשים יוצאים ידי חובת קידוש מה"ת כשאומרות תחינות ובקשות ושבת בעת הדלקת הנרות (כמו שכי' רע"א בגליון שו"ע סימן רע"א דיוצאין ידי קידוש דאוי אפי' על אמירת "גוט שבת"), ולפ"ז לא קשיא מידי קושיות הדגמ"ר דגם הנשים כבר יצאו ידי חובת קידוש דאוי אע"פ שלא התפללו.

דף נב

36) סימן קפ"ב סעיף א'.

37) שם סק"ד.

דף נג

38) סימן ר"א סעיף ד'.

39) שם בשער הציון ס"ק ט"ז.

40) מרומי שדה נזיר דף סו:.

41) וע"ש שמבאר דרב חייא סבר דמברך עדיף דס"ל דעניית אמן אינו מצוה מה"ת אלא כשעונה אמן על ברכה דאורייתא כגון ברכת המזון וברכת התורה אבל עניית אמן על סתם ברכה דרבנן אינו אלא מצוה מדרבנן.

דף נד

42) סימן ס"ט מובא בשיטה מקובצת החדש, וע"ע בפ"י המשנ"י להרמב"ם כאן בסוף המשנה.

43) ענין זה נכלל במש"כ חז"ל באבות פ"ב משנה י"ז "וכל מעשיך יהיו לשם שמים" ועי' מש"כ הרמב"ם (בפ"ה משמונה פרקים) בהתפעלות על משנה זו שכולל בקוצר המלות ענין גדול ועצום (והוכיח מזה דודאי נאמר מימרא זו בכח אלוקי בלי ספק), והובא ענין זה להלכה בשו"ע או"ח סימן רל"א, וע"ע ברמב"ם פ"ג מה"ל דעות.

44) מובא בש"מ החדש.

45) [על דרך זה ראיתי לפרש בדרך דרוש הפסוק במשלי "צדיק אוכל לשובע נפשו ובטן רשעים תחסר", דאיירי הקרא בענין אורח דדרכו של הצדיק לכבוד האורח בסעודה גדולה ואוכל עמו אע"ג שהוא שבע ואינו רוצה לאכול כלל וזהו "צדיק אוכל לשובע נפשו", משא"כ הרשע עושה להיפך דאם בא אצלו אורח קודם שאוכל הוא מרעיב את עצמו ואומר לאורח שכבר גמר סעודתו כדי שלא יחא צריך להזמין את האורח לאכול עמו, וזהו "ובטן רשעים תחסר".]

46) שו"ת לב חיים ח"ג סימן נ"ב (מובא בספר הנ"ל) ואיירי שם בא' שקנה בהקפה אבל לכאוי ה"ה אם קנה ע"י "מארגודש" דהוי כהקפה, אבל אם קנה בכסף שהלוח מאחרים שאני ולכאוי יכול לברך.

דף נה

- 47) פרק ד' סק"ה.
48) ע"י אבות דר' נתן לב-א, זימן הקב"ה לאברהם אבינו ב' כליות כשני חכמים והיו מבינות אותו ויועצת אותו ומלמדות חכמה כל הלילה (וכן בבראשית רבה פרשת חיי שרה פרשה ס"א), וע"ע בשו"ת חת"ס או"ח סימן ר"ח שבי' דעוסקי תורה לשמה יש עליהם רוח השם וזוכין לכוון אל האמת דהקב"ה בחסדו יתב חכמתו לחכימא לפי שעה.
49) בסוף הקדמתו לספר עץ החיים (מובא בספר מעון החכמה כאן).
50) ע"י שו"ת שבות יעקב ח"ב סימן ק"ג שכתב בענין עובדא שחטטו גנבים קברים ואח"כ באו המתים בחלום והגידו שהם ערומים וכתב שם שאין לחפור הקברים בשביל החלום ולנוול המתים כיון דדברי חלומות לא מעלין ולא מורידין (אולם ע"ש בשב"י ח"ג סימן ק"ג שהביא סמך למה שפסק שם מהא דהגידו לו בחלום שהוא נכון).

דף נו

- 51) ובענין זה ביאר גם הר' מרדכי באנעט (מובא בשפתי חכמים).
52) סימן נ"ג (ע"י תענית סוף דף כ. וכו' - זכה קנה ליטול הימנו קולמוס לספר תורה).
53) והביא מעון הברכה בשם האריז"ל דעיקר זכירת האדם ע"י שכותב מה שלומד, וע"ע בדברי מהרש"א ב"ב דף י' על דאמרינן שם "אשרי מי שבא לכאן ותלמודו בידו" דר"ל אשרי מי שכותב חידושים שלו וממילא יש לו תלמודו בידו ממש כמשמעו.
54) מובא בש"מ החדש.

דף ס

- 55) (ע"י תוס' כתובות דף קד. ד"ה לא בשם המדרש - עד שיתפלל אדם שיכנס תורה לתוך גופו יתפלל שלא יכנסו מעדנים) וע"ש מה שהוסיף לבאר ע"פ זה דמי שרואה קנים יצפה לבניה (שהוא יותר מחכמה) דר"ל שרואה שהושט שלו דומה לקנה והיינו שכל אכילתו הוא לשם שמים, וע"ע בש"י באות ק' קדושת האכילה (בקוטרס שחיבר לספר עמק ברכה ס"ק ה-ו) שמבאר דקנה הוא סוד הדיבור הנאצל מהנשמה והוא נגד יעקב, והו"ש שהוא ענין אכילה נגד עולם הזה ונגד עשו.

דף סא

- 56) בגמ' איתא שלא ידע בה ולא הרהר בה מאורתא, וצ"ב כיון שלא ידע לה א"כ פשיטא שלא הרהר בה מאורתא, ואולי לא ידע בה לאו דוקא שלא ידע בה כלל אלא ר"ל שלא ידע בה היטב (ובשבות יעקב שהבאנו לקמן משמע שלא ידע בה לאו דוקא והעיקר הוא שלא הרהר בה מאורתא).
57) ח"ב סימן ל"ד.

דף סב

- 58) כתב שם השב"י דהגמ' כאן איירי בשלא הרהר בה מאורתא אבל הרהר בה פעם אחרת עכ"ל, ועצ"ק שהרי הגמ' קאמר דאיירי שלא ידע בה (ע"י לעיל אות 55, ועוד מילתא דתמיהה הוא לומר שמי שהרהר באשת איש (ועבר על איסור תורה) ואחר קצת זמן חלם שבא עליה שהוא בן עולם הבא (ובפנים כתבתי מה שנראה לעני"ד, ואולי זהו כוונת השב"י).
59) או"ח סימן רפ"ח סעיף ה'.
60) מובא בשלטי גבורים על המרדכי פרק קמא דשבת אות ג'.
61) ז"ל המג"א שם סק"ז בשם הש"י שאין להתענות בשבת אפי' על הגי חלומות רעים אפי' נפשו עגומה עליו וכשיתענה ימצא נחת רוח, וע"ש בט"ז.
62) וכתב הפרישה סימן רפ"ח סק"ה דה"ה שמתענין בשבת על החלומות שאמרו כאן בפרק הוראה שהן רעים.
63) סימן רפ"ח סק"ג (והביאו המשני"ב שם בסוף סק"ז).
64) הני"ל ח"ב סימן ל"ד.
65) סימן ג' (מובא בשב"י הני"ל).
66) ושיטת השב"י הוא דחלומות שבאין ממה שהרהר מאורתא לית לן בה ולא מיד, אבל חלומות שבאין ממה שהרהר פעם אחרת יש בהם ממש, וכנ"ל.

דף נח

- 67) סימן רכ"ד סק"י.
68) שם בשם תשובות מהר"י יצחק, מובא בשערי תשובה סק"ה.
69) מובא שם בהג' חתם סופר על שו"ע.
70) ומסתברא דמודה הכתב סופר דמותר לברך ע"י הפסק זכוכית כיון שיכול לראותו, ע"י שערי תשובה שם סק"ד, [ומסיים שם הכת"ס דלענין אם מברכין כשעוברים לפני בית המלך פוק חזי מאי עמא דבר (וצב"ק דלמה יברך על בית המלך כיון שלדעתו אין מברכין על ספינתו)].
71) שם, מובא בשערי תשובה ובמחצה"ש שם.

דף נט

- 72) זהו נוסח המשנה, ונוסח הטושי"ע סימן רכ"ח סעיף א' הוא ברוך עושה ים הגדול.
73) שם.
74) ע"י משני"ב שם סק"ב ושעה"צ סק"ג.
75) ח"ד ס"ד (ומובא בב"י).
76) ע"י גט פשוט על הלכות גיטין סימן קכ"ח ס"ק מ"ו, וע"י באמת ליעקב כאן להג' ר' יעקב קמנצקי ז"ל.
77) סימן רכ"ד סק"י.
78) שם סק"ט.
79) ח"ג סימן תקס"ט, מובא בשו"ת עמודי אור סוף סימן ד'.

דף

This Al Hadaf was made possible by the following daf dedications...

יום

מו	לז"נ אמי מורתי שיינע (סאניא) בת הר' יצחק אייזק חיים יחזקאל הכהן *	ז ניסן April 16	SH
מח	לע"נ מורינו ר' יהודה בן אברהם יצחק - Korn נפטר ח' ניסן תשס"ג *	ח ניסן	S
מט		ט ניסן	M
נ	לז"נ חיה אייגער בת שלום Esrig ז"ל *	י ניסן	T
נא	לז"נ יהודה שמואל ב"ר יצחק יעקב איצקאוויץ ז"ל *	יא ניסן April 20	W
	לז"נ חוה בת ר' יהודה ליב צוקערמאן ז"ל *		
נב		יב ניסן	TH
נג		יג ניסן	F
	לז"נ מיכאל בן ישראל מינצער ז"ל (יא"צ ח' תמוז), ולז"נ סימא בת הילל מינצער ז"ל *	ערב פסח	SH
נה		א פסח	S
נו	נדבת משפחת גווירצמאן לע"נ הרב אליעזר בן שימא ז"ל *	ב פסח	M
נז	לז"נ אבינו מורינו ר' שלום שמשון בן אברהם זי"ע ז"ל * -by his sons; Jance, Avy and Jesse J Webberman and their respective families	ז ניסן April 26	T
נח		יח ניסן	W
נט		יט ניסן	TH
ס		כ ניסן	F
	Mazal Tov to Sy & Debbie Krugar in honor of Yosef Daniel's Bar Mitzvah	ז פסח	SH

* Denotes Yartzeit

Cong. Al Hadaf
P.O. Box 791
Monsey, NY 10952
Ph. & Fx. 845-356-9114

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