



## OVERVIEW of the Daf

### 1) Cities of refuge (cont.)

Abaye explains why three cities of refuge were needed on the East side of the Jordan River.

The reason those to the extreme North and South were further from a city of refuge than those in the middle of the country is explained.

The term **חבר כהנים** is explained.

The difference between the cities of refuge and the Levite cities that also serve as cities of refuge is explained.

The Gemara unsuccessfully challenges the premise that Chevron and Kadesh were, in fact, cities of refuge.

A Beraisa describes the requisite characteristics for a city of refuge.

R' Yitzchok cites the verse that is the source of this ruling.

### 2) Students and teachers

A Beraisa teaches that if a student is exiled his rebbi is exiled with him.

R' Zeira draws an inference from this teaching.

R' Yochanan teaches that if a rebbi is exiled his yeshiva is exiled with him.

Whether a Torah scholar requires exile to be protected is discussed.

### 3) Cities of refuge (cont.)

R' Tanchum bar Chanilai explains why the city of refuge located in Reuven's portion is mentioned first.

R' Simai derives a lesson from Moshe Rabbeinu's behavior concerning the designation of three cities of refuge.

Additional teachings related to the cited verses and the topic of Torah mastery are recorded.

Another exposition of R' Yehoshua ben Levi is recorded.

A Beraisa teaches that there were signs on the road pointing the way to the city of refuge.

R' Kahana cites the Scriptural source for this ruling.

### 4) Introductions to the topic of cities of refuge

The Gemara presents the expositions taught by different Amoraim to introduce the topic of cities of refuge.

Rabbah bar R' Huna in the name of R' Huna demonstrated from Torah, Nevi'im and Kesuvim that a person is led on the path that a person wants to follow.

### 5) Blood redeemer

R' Huna rules that if a blood redeemer kills the murderer he is exempt.

This position is challenged from a Beraisa.

The Gemara responds that R' Huna follows the Tanna of another Beraisa.

Another unsuccessful challenge to R' Huna is presented.

A ruling in the Beraisa is explained.

(Continued on page 2)

## Distinctive INSIGHT

### The remarks of the scoffers

אמר דוד לפני הקב"ה רבונו של עולם שמעתי בני אדם שהיו אומרים מתי ימות זקן זה ויבא בנו ויבנה בית הבחירה ונעלה לרגל-ושמחתי

The Gemara relates the story of how King Dovid used to overhear people praying that the day should come soon that he would die, and that his son Shlomo would then come and build the Beis HaMikdash. Maharsha explains that Dovid HaMelech responded with satisfaction when he heard these remarks, as he interpreted these people's intentions as sincere wishes that the service in the Beis HaMikdash should commence soon, although it would happen only as a result of Dovid HaMelech's demise. This was not considered as a direct affront to Dovid HaMelech, because, as the people themselves mentioned, Dovid was already a very old man, and he had lived a full life. Anticipating the next stage of when the Beis HaMikdash would be built was not inappropriate in this regard.

Maharsha notes that this story, as it is related in the Yerushalmi (Berachos 2:1), appears with a slight change. There, it is clear that those who wished for Dovid HaMelech to die were his adversaries and critics. The Gemara reports, "What did the scoffers of the generation use to do? They went near the window of the palace and they used to mock him. 'Dovid, when will we finally be able to build the Beis HaMikdash? When will we all be able to enter into the House of Hashem?' And King Dovid responded, 'Although I know that the intent of these people is to anger me, nevertheless I dismiss the insulting aspect of their words, and I happily accept their words and a sign that they are eager to have the Beis HaMikdash built.'" Maharsha understands that in our Gemara the people made their statement to Dovid HaMelech directly, and it is inconceivable that they would speak in front of the king in a manner which was disrespectful. This is why Maharsha says that the story in our Gemara tells of sincere people who awaited the building of the

(Continued on page 2)

## REVIEW and Remember

1. What is the practical difference between a designated city of refuge and one of the Levite cities?  
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2. Who is one's greatest teacher?  
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3. How do we know that God leads a person down the path he chooses for himself?  
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4. What are the three halachos that may require elders?  
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By Rabbi & Mrs. G. Vogel  
לע"נ יחזקאל בן יצחק אחרון

# HALACHAH Highlight

## Adopting a stringent approach to possible cases of damages

”כאשר יאמר משל הקדמוני מרשעים יצא רשע וכו'”

“As the proverb of the Ancient one says, from the wicked comes forth wickedness etc.”

Rashba<sup>1</sup> writes that although the general principle regarding uncertainties in money matters is that one who is uncertain whether he owes someone money is not obligated to pay and the burden of proof rests upon the claimant, in cases of payment for damages that is not the case. In cases where one is uncertain whether he damaged someone in a way that would obligate him to pay, he must be strict and pay. This is similar to the principle regarding other prohibitions where we adopt a stringent approach in matters of doubt – ספק איסור דאורייתא לחומרא. Teshuvos Divrei Yatziv<sup>2</sup> cites authorities who wonder why Rashba is more conservative regarding cases of doubt involving damages than he is in cases of doubt involving theft.

Divrei Yatziv suggests one explanation for Rashba based on our Gemara. Reish Lakish teaches how God arranges that one who killed inadvertently, but without witnesses, will fall, in the presence of witnesses, onto one who murdered but without witnesses so that each person should receive his due punishment. This teaches that God arranges that bad things should come about from wicked peo-

(Overview...continued from page 1)

### 6) City of refuge

R' Elazar teaches that a city with a majority of murderers or that has no elders does not provide refuge.

The Gemara presents three disputes between R' Ami and R' Assi, whether a city without elders provides refuge, whether a child from such a city could be made into a ben sorer u'moreh and whether they bring an eglah arufah. ■

ple. The same principle could apply when it comes to damage to other people's property. God arranges that the damage should be caused by someone who has done something wrong and is in need of atonement. Being that the incident points to the fact that the one who caused the damage is in need of atonement, it is appropriate to adopt a stringent approach.

In a second explanation he draws the following distinction. The reason one is not required to be stringent when there exists the possibility that one stole from another is that one is not required to lose money in order to prevent a loss to a friend. This holds true, however, for cases of theft where payment for the theft is not designed to provide atonement. In contrast, payment for damages is designed to effect atonement and as such it is appropriate for one to take extra steps and even part with some money in order to secure atonement. ■

1. רשב"א ב"ק ב: ד"ה אבל.

2. שו"ת דברי יציב ליקוטים והשמטות סי' קל"ג. ■

# STORIES Off the Daf

## An unformed opinion

”מכאן שלא ישנה לתלמיד שאינו הגון...”

In 1951, a certain talmid chacham was asked to give a shiur Torah in a yeshiva geared toward less-committed students in Pardes Chanah. On the third day he noticed one of the students seemed absorbed in something under his desk. The maggid shiur approached the student's desk and saw that he had a copy of the writings of Bialik under his desk. The teacher took the book and tossed it outside the classroom. The student got very upset by this and shouted, “Are we in a yeshiva which learns exclusively Torah? Today we have a test on Bialik and I must study. Since I am also required to be in this class, I obviously need to study during class. After all, why is Bialik less important than Gemara?”

The more outspoken students agreed with the disgruntled student and the teacher felt that perhaps teaching in such a yeshiva was not for him. But of course such a deci-

sion was a very serious step to take. The maggid shiur travelled to the Chazon Ish, zt”l, to ask for guidance.

When he met the Chazon Ish, he told him what had transpired.

“So what is your question?” asked the Chazon Ish.

“Do we not find in Makkos 10 that one should not teach a student who is unfit?”

“How old are your students?” asked the Chazon Ish.

“Between fourteen and fifteen,” was the answer.

“In such young students the term תלמיד הגון שאינו הגון does not apply since they have not yet developed mature opinions. You can mold the future person and convince him of the error of his ways.”

The maggid shiur asked, “From what point is a young adult considered a תלמיד הגון, then?”

“From seventeen to eighteen is when they are more fixed in the way they see things and it is harder to convince them,” the gadol answered.

“I came here with a fully packed bag to ask whether I should go home to

Yerushalayim or back to my position in Pardes Chanah.”

The Chazon Ish stated firmly, “Definitely go back. If you cannot succeed with all of them, you will convince half!”

Later on the maggid shiur calculated that he had indeed convinced exactly half of his students to join a full time yeshiva! ■

1. מעשה איש, ח"ז ■

(Insight...continued from page 1)

Beis HaMikdash, while the Yerushalmi speaks of impudent people who tried to anger Dovid HaMelech.

Aruch LaNer explains that the story in our Gemara and as it is brought in the Yerushalmi, are the same. When our Gemara states that the people used to “tell Dovid HaMelech” that they awaited his death, they were not saying it directly to him, but rather that they said these comments outside his window in order for him to overhear. In both cases, the story is about people who sought to anger Dovid HaMelech, and that he withstood their antagonizing attempts and responded with happiness instead. ■