



OVERVIEW of the Daf

1) Multiple prohibitions for plowing one furrow (cont.)

The Gemara makes numerous attempts to emend the earlier-cited Beraisa until it finds an acceptable emendation.

Numerous Amoraim suggest other prohibitions that could be transgressed while plowing that one furrow.

R' Zeira and R' Mani discuss the possible inclusion of the case of a plower who took an oath not to plow on Yom Tov.

Two halachos that apply to a disqualified sacrificial ox are presented.

2) MISHNAH: The Mishnah discusses the number of lashes that are administered as well as how the lashes are administered and the assessment that was made to determine how many lashes the defendant could handle.

3) The number of lashes

The source for Tanna Kamma's opinion that the highest number of lashes is thirty-nine is presented.

Rava makes an observation about this exposition.

R' Yitzchok identifies the source for R' Yehudah's position that the highest number of lashes is forty.

The response of Rabanan to this exposition is recorded.

4) Assessing the number of lashes

A contradiction between our Mishnah and a Beraisa is

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REVIEW and Remember

1. What is the verse that prohibits erasing God's name
2. How many lashes are included in a full set of lashes?
3. Whom did Rava consider stupid and why?
4. Describe the procedure for administering lashes.

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Distinctive INSIGHT

Thirty-nine lashes

כמה מלקין אותו ארבעים חסר אחת

In his commentary to Devarim (25:2), רבינו בחיי writes an interpretation to why the Torah set the standard number of lashes to be thirty-nine. He explains that those who die need to be revived. When someone sins and violates the word of his creator he has forfeited his privilege of life. He is deserving to be cut off from his source, and his soul should face the punishment of כרת. At this point, his soul will not benefit from the heavenly dew (טל) which will result in the resuscitation of the dead. However, after suffering the lashes, his soul achieves atonement, and it will be cleansed whereby it once again is able to be restored to life (the thirty-nine lashes earns him the dew, the טל, which is numerically equal to thirty-nine). (See Gemara, Megilla 7b).

צורר המור adds that this is why the lashes are placed upon one's back, next to the spine. The Gemara in Bava Kamma (16a) says that after one's death, the spine transforms into a snake, which is an allegorical reference to the original snake, a manifestation of the evil inclination. The lashes upon the spine symbolize the vanquishing of this influence and the cleansing of the soul.

רבינו בחיי also notes that a human embryo takes form forty days after conception. When someone violates the Torah, which was given during a forty-day period, it is appropriate that he be hit with forty lashes.

In Gur Aryeh (to Devarim 25:3), Maharal says that we must explain why the verse does not write that we strike the sinner with thirty-nine lashes, rather than writing that he gets forty. He reports that some say that a sinner really should be given a full complement of forty lashes. However, God does not unleash all of His fury (ולא יעיר כל חמתו) and we lessen the verdict by one strike. Accordingly, as the sinner is being struck, a representative of the court stands by and reads the verse "והוא רחום" which highlights this element of mercy. Maharsha notes that each of three of the verses which are read has thirteen words in it (והפלה, ושמתם את דברי, והוא רחום) which add up to thirty-nine, the maximum amount of lashes which are administered.

Chasam Sofer explains that the punishment of lashes should comprise a full forty strikes, corresponding to the forty days of the giving of the Torah which this person has violated. However, we can assume that as a person is being struck, his heart experiences contrition, and this spirit of repentance itself counts as one hit. This may explain why the poskim (Rokeach, Hilchos Teshuva 11) recommend that if a person knows that he is liable for lashes, he should fast for forty days. Each day results in an additional level of humility, and a set of forty fasts can serve to atone just as lashes themselves do. ■

HALACHAH Highlight

Standing for a Sefer Torah

כמה טפשאי שאר אינשי דקיימי מקמי ספר תורה ולא קיימי מקמי גברא רבא

How foolish are other people who stand before a Sefer Torah but do not stand before great people

Our Gemara comments about the foolishness of the Babylonians who stand for Sifrei Torah but do not stand for Torah scholars. This implies that standing for Torah scholars is a greater obligation. A difficulty with this is the Gemara in Kiddushin (33b) that implies the opposite. The Gemara there asks whether there is an obligation to stand for a Sefer Torah and the Gemara answers that it is certainly obligatory. If we stand for those who study Torah there is certainly an obligation to stand for a Sefer Torah itself. This clearly indicates that standing for a Sefer Torah is a greater obligation. Ran¹ answers that the obligation to stand for a Sefer Torah is greater than the obligation to stand for Torah scholars as implied in the Gemara Kiddushin. The reason our Gemara expresses astonishment at those who stand for a Sefer Torah but don't stand for those who study Torah is based on the fact that we know there is an obligation to stand for a Sefer Torah because of the kal v'chomer from the fact that there is an obligation to stand for Torah scholars. As such it is illogical to stand for a Sefer Torah but not stand for Torah scholars.

Based on this, Pri Megadim² writes that we can derive details regarding the obligation to stand to honor a Sefer Torah from the laws of standing for a Torah scholar. For example, just as the obligation to stand for a Torah scholar

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noted as to whether or not a reassessment is made only after some of the lashes were administered.

R' Sheishes resolves the contradiction.

5) **MISHNAH:** The Mishnah presents the guidelines for when one assessment covers two sets of lashes.

6) One assessment

A contradiction between our Mishnah and a Beraisa is noted as to whether one assessment covers two sets of lashes.

R' Sheishes resolves the contradiction.

7) **MISHNAH:** The Mishnah described the procedure for administering lashes. The consequences for killing the defendant through too many lashes are also discussed. ■

applies only when he is moving but not when he is sitting in his place, so too, the obligation to stand for a Sefer Torah applies only when the Torah is being transported but not when it is at rest in the Aron Kodesh or the person holding the Sefer Torah is sitting. Taz³ also writes that there is no technical obligation to stand when the Aron Kodesh is open and the only reason people do so is to show respect but it is not obligatory. The reason he gives is that the Sefer Torah in an Aron Kodesh is considered in a separate domain and there is no obligation to stand for a Torah scholar who is in another domain. ■

1. ר"ן י"ד בדפי הר"ף ד"ה ומה מפני
2. פמ"ג משבצות זהב סי' קמ"א סק"ג
3. ט"ז יו"ד סי' רמ"ג סק"יג ■

STORIES Off the Daf

A Jiving Sefer Torah

ולא קיימי מקמי גברא רבא

Rav Elchonon Wasserman, zt"l, related "Once, the Netziv of Volozhin, zt"l, was carrying a sefer Torah to the bimah when he fell down, and the sefer fell with him. As the bnei yeshivah rushed to pick them up, the Netziv's son-in-law, Rav Itzel Volozhiner, zt"l, gave an astounding order, "First pick up the Rosh Yeshiva, then the sefer Torah!"

Rav Elchonon explained, "This is what Rava means in Makkos 22. It is

only people's foolishness that causes them to respect a sefer Torah more than a true Torah scholar. After all, why should one respect a sefer Torah inscribed on parchment more than a sefer Torah housed in living flesh and bone?"¹

The Divrei Shmuel, zt"l, explains this statement similarly, "Tzaddikim are themselves holy like a sefer Torah. A sefer Torah is merely the Torah written on parchment; how much more is it incumbent upon us to honor a sefer Torah inscribed on one's heart! As the verse states: 'כתבם על לוח לבך'—Write them on the tablet of your heart."²

Rav Reuven Margolios, zt"l, points out that this distinction does not apply

to just any scholar. "The Gemara uses the expression 'gavra rabbah'—'a great man'—rather than the more common 'tzurba d'rabanana,' which implies an ordinary scholar. This is meant to teach that this halachah only applies if the scholar in question is one of the gedolei hador. It is only in such a case that it should be obvious to any thinking person that it is fitting to treat him with more honor than a sefer Torah. But if one is a regular talmid chacham, he is not to be more respected than a sefer Torah."³ ■

1. שימוש חכמים ע' פ"ח
2. דברי שמואל ליקוטים
3. ניצוצי אור דף צ"ז ■