

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

OVERVIEW of the Daf

1) Cohabiting with an Aramean woman

R' Kahana asked about the punishment for one who cohabits with an Aramean woman who was not killed by a zealot.

Rav initially forgot the answer but was subsequently reminded of the relevant exposition.

R' Chiya bar Avuya presents a different exposition of that pasuk.

Another teaching of R' Chiya bar Avuya is recorded.

R' Dimi and Ravin disagree about which prohibitions are violated when one cohabits with a gentile woman.

R' Chisda teaches that if one asks whether he may kill someone who cohabits with a gentile woman the answer is no.

The same teaching is presented by Rabbah bar bar Chana in the name of R' Yochanan.

2) Zimri and Kozbi

The Gemara recounts the incident of Zimri and Kozbi.

Rav and Shmuel disagree about what Pinchas saw that drove him to act zealously and kill Zimri and Kozbi.

R' Yitzchok in the name of R' Elazar offers a third explanation of what Pinchas saw.

The Gemara continues to describe the incident of Pinchas killing Zimri and Kozbi.

The reaction of the angels and the nation is described.

R' Nachman in the name of Rav expounds a pasuk in Mishlei that relates to Zimri.

R' Sheishes explains the significance of Kozbi's name.

R' Yochanan discusses the different names of Zimri.

3) A kohen who serves while tamei

R' Acha bar Huna asked whether a kohen who serves while tamei is liable to death by the hands of Heaven.

R' Sheishes answered that he is not liable to death by the hands of Heaven.

R' Acha challenges this ruling.

The premise of R' Acha's challenge is itself unsuccessfully challenged.

The Gemara challenges R' Sheishes's ruling. ■

Today's Daf Digest is dedicated
By Benji Cohen in memory of
ר' מ. יוזנט זצ"ל
Rabbi M. Juzint zt"l

Distinctive INSIGHT

Can the רודף defend himself and stop the one who tries to stop him?

נהרג זמרי והרגו לפנחס אין נהרג עליו שהרי רודף הוא

In its discussion regarding the halacha of קנאים פוגעין בו, the Gemara mentions that if a person comes to Beis Din to ask for advice regarding what to do, we do not rule that he should kill the offender. Anyone who observes this person may only act out of pure jealousy for the honor of God, and if the person asks for an authoritative ruling what to do, he is lacking in this unadulterated zeal to stop this sin. We then find another stipulation to this law. Zimri was guilty of this heinous act and Pinchas was pursuing him to kill him, which he did. If Zimri would have turned against Pinchas and defended himself, and he would have killed Pinchas in order to stop him from his zealous act against him, Zimri would have been "justified". Pinchas was legitimately considered to be a pursuer (רודף), because although he was legally permitted to kill Zimri, he was not required to do so.

קנאים יד רמה explains that it is only in this context of קנאים פוגעין בו that one who is being pursued may stop the zealot who is chasing him. ר"ן explains that although a zealot is permitted to intervene, we do not advocate this halacha (אין מורין כן). He can proceed, but he assumes some of the risk. However, if Reuven is trying to kill someone, and Shimon intervenes to stop Reuven from murder, Reuven may not stop Shimon by killing him. Reuven's duty is to cease his attempted murder, not to stop the one who is trying to prevent him from committing murder.

According to ר"ן דברי יחזקאל, ר"ן notes that in a case of a tunneling intruder, the homeowner may kill him, but he is not required to do so. This leads us to say that if the intruder kills

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REVIEW and Remember

1. What is the punishment for one who cohabits with a gentile woman?

2. What did Pinchas see that drove him to behave zealously?

3. What miracles occurred for Pinchas?

4. What is the significance of Zimri's different names?

HALACHAH Highlight

Entering a shul with a knife

מיכן שאין נכנסין בכלי זיין לבית המדרש

From here we see that it is prohibited to enter a Beis Hamidrash with weapons

The Gemara cites a pasuk to teach that it is prohibited to enter into a Beis Hamidrash with a weapon. Shulchan Aruch¹ writes that there are authorities that prohibit entering into a Beis Haknesses with a long knife. The source for this ruling is Orchos Chaim² who explains that a Beis Haknesses is a place for prayer which is designed to extend life and a knife is incongruent with this since it is used to shorten life. This rationale, however, is limited to a Beis Haknesses where people gather to pray but does not apply to a Beis Hamidrash that is used for Torah study. Maharatz Chiyus³ wonders why Poskim only mention this restriction in the context of a Beis Haknesses when our Gemara explicitly teaches that such restrictions apply to a Beis Hamidrash as well.

Teshuvos Yeshuas Moshe⁴ asserts that the restriction against bringing a knife into a Beis Haknesses is applicable during times of peace. During times of war or when there is a concern for terrorists and it is necessary to have guards walking around as a deterrent against terrorism, it is not only permitted for people to walk into a Beis Haknesses or a Beis Hamidrash with a knife or other type of weapon but it is also obligatory since one cannot rely upon a miracle.

Teshuvos Torah Lishma⁵ rules that it is permitted in a Beis Haknesses or Beis Hamidrash to sharpen slaughtering knives that become blemished. The reason is that the process of repairing the blemish and checking the knife involves deep kabbalistic

(Insight...continued from page 1)

the homeowner in self-defense, he would be justified. Yet, we do not find this halacha mentioned anywhere, and it seems that the intruder should not be allowed to do this.

answers that there is a basic difference in these cases. In the case of קנאים פוגעין בן, the life of the sinner is still precious, although the Torah gives special permission to kill him if the circumstances are as set in the halacha. The intruder, however, has forfeited his life, and this is why the homeowner may kill him. Thus, he is not a רודף at that moment.

יד רמה notes that it was only Zimri that had permission to rise up and defend himself against Pinchas. No one else who would have been watching would have been allowed to save Zimri by killing Pinchas who was running after him to kill him. The reason is that everyone else also had permission to kill Zimri, and even if they were not filled with a spirit of zealousness, they certainly had no permission to save him, either. In all other cases where Reuven is chasing after someone to kill him, everyone may stop Reuven who is a רודף by killing him, and not only the one who is being pursued. ■

thoughts and thus does not constitute a degradation of the Beis Haknesses or Beis Hamidrash. Teshuvos Shevet Hekehasi⁶ wrote that although it is not degrading to the Beis Haknesses or Beis Hamidrash it is nevertheless prohibited based on our Gemara and the ruling of Shulchan Aruch prohibiting a weapon or knife in a Beis Hamidrash or a Beis Haknesses. ■

1. שו"ע או"ח סי' קנ"א סעי' ו'.
2. אורחות חיים ה"ל בית הכנסת אות ז'.
3. מהרי"ץ חיות לסוגייתנו.
4. שו"ת ישועת משה ח"ג סי' ל"א.
5. שו"ת תורה לשמה סי' ל"ו.
6. שו"ת שבט הקהתי ח"ב או"ח סי' ע"ג. ■

STORIES Off the Daf

"Where there is desecration of Hashem's Name..."

"במקום חילול ה' אין חולקין כבוד לרב..."

Many final wills leave much to be desired in terms of their clarity. Understandably, if one heir feels that he deserves more than the others are willing to give him he will do anything in his power to receive what he considers his full inheritance.

After a very wealthy man passed away who was survived by a large family and a huge estate, his heirs began to argue about how to allocate their inheritance. They decided to go to the secular courts but, to

their dismay, the lawyers' fees cost a fortune and even after many trials, they were no closer to an agreement than when they had started. On the other hand, the estate was very much diminished and this pained them no end.

After some deliberation, they decided to go to the beis din of Rav Menachem Mendel of Vishaver, zt"l, for adjudication. After all, what could they lose?

Their case was very public, so when they walked into the beis din, the Rav immediately understood why they had come. Straight away, he fired off a scathing remark based on today's daf. "In Sanhedrin 82, we find: במקום שיש חילול ה' אין ' חולקין כבוד לרב ' In a place where there is desecration of Hashem's Name, one does not give honor to the Rav.' But perhaps

this can be read a bit differently to apply to the present case. במקום שיש — in a case where there is a fortune of money involved — חילול ה' — and the parties involved do not overcome their inclination to take their case to the gentile courts and make a chilul Hashem; אין — if the money diminishes until hardly any remains; חולקין כבוד לרב — then they have no choice but to come for adjudication in beis din!"

He then turned to the litigants in an impassioned voice, "But the question is, why did you wait until this point? Why did you waste such a fortune of money and time while at the same time causing a terrible chilul Hashem?"¹ ■

1. הגאון הקדוש מווישאוו, ח"א, ע' קל"ה. ■