

OVERVIEW of the Daf

1) Judging a tribe (cont.)

R' Masna offers another interpretation of the Mishnah that could be reconciled with the opinions cited in the previous Baraisa.

The source for this explanation is cited.

Ulla in the name of R' Elazar suggests another interpretation but it is rejected.

Ravina defends one of the rejected explanations and cites the source for his interpretation.

2) A false prophet

A source that the trial of a false prophet requires seventy-one judges is presented.

This source is rejected and Reish Lakish suggests an alternative source.

Reish Lakish's source is unsuccessfully challenged.

3) Kohen Gadol

R' Adda bar Ahavah gives the source that a kohen gadol's trial requires a panel of seventy-one judges.

This source is unsuccessfully challenged.

R' Elazar inquires about the number of judges needed for the trial of a kohen gadol's ox.

Abaye notes that from the question it seems obvious that a kohen gadol's monetary case is adjudicated by a panel of three.

The necessity for this teaching is explained and R' Elazar's inquiry is left unresolved.

4) Discretionary wars

R' Avahu gives the source that the nation does not go out to discretionary wars without the consent of Sanhedrin.

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REVIEW and Remember

1. What is the source that a Kohen gadol is judged by a beis din of seventy-one judges?
2. What issue was addressed at Dovid HaMelech's first cabinet meeting of the day?
3. What sanctifies utensils for use in the Beis HaMikdash?
4. What is the reason a border city may not be declared a subverted city?

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Distinctive INSIGHT

"And so shall you do it" - for all generations

וכן תעשו לדורות הבאין

The Mishnah taught that we may not add on to the borders of the city of Yerushalayim or of the courtyard of the Beis HaMikdash unless it is authorized by the Great Sanhedrin and its seventy members. In the Gemara, R' Shimi bar Chiyva informs us that the source for this halacha is the verse in Shemos 25:9, where the Torah instructed Moshe to fashion the Mishkan and its utensils precisely as he was shown at Sinai. The verse then concludes by stating, "וכן תעשו"—and so shall you do," which is interpreted to mean "לדורות—in future generations." We learn from here that in the future, whenever we wish to build or to add to the places that are holy (Yerushalayim, or the Beis HaMikdash complex), we may only do so with the authority of the seventy-member Sanhedrin, which corresponds to the original building of the Mishkan which was done under the supervision of Moshe, who was equal to the Sanhedrin.

Rashi, in his commentary to Chumash (Shemos 25:9) cites this Gemara, that the phrase "וכן תעשו" refers to the future דורות. He explains that if one of the utensils of the Mishkan would ever be lost, or when utensils were made for the Beis HaMikdash, they should be fashioned using the manner described by Moshe in reference to the Mishkan. Ramban questions Rashi's commentary, as the altar built by Shlomo for the Beis HaMikdash (20x20, see Divrei HaYamim 2, 4:1), did not have the same dimensions as that of Moshe (5x5, Shemos 27:1). Therefore, Ramban writes that "וכן תעשו" does not refer to the future, but just that the fashioning of the utensils of the Mishkan be done with alacrity.

The commentaries all wonder about the comment of Ramban, as our Gemara (and in Shevu'os 15a) explains the phrase "וכן תעשו" in reference to the future. Or HaChaim suggests that Ramban understands that the Gemara's comment of the future fashioning of utensils only refers to their having to be made with the authority of the Sanhedrin, but not in regard to their dimensions. Nevertheless, Or HaChaim rejects this approach, because our Gemara notes that only the utensils made by Moshe needed to be anointed, while those of Shlomo did not need anointing. The Gemara notes that this is not consistent with the rule that the vessels always be made in the same manner they were made originally. However, according to Ramban, the need to make the utensils in the future only refers to having the approval of Sanhedrin, and not to the need to have them anointed. It seems from the Gemara that the rule "לדורות" does refer to all aspects of the fashioning of the utensils.

Mizrachi answers Ramban's question regarding the dimensions of the altar of Shlomo. Apparently it was not necessary for future altars to match that of Moshe, but just to be proportional. The length and width must match, and this was consistent. ■

HALACHAH Highlight

Studying Torah at night

כיון שהגיע חצות הלילה רוח צפונית מנשבת בו וכו'

Once midnight arrived a northern wind would blow on it etc.

The Gemara mentions that Dovid HaMelech had a harp suspended above his bed and at Chatzos a northern wind would blow. This wind caused the harp to make noise awakening Dovid HaMelech and he would rise and study Torah until morning. Teshuvos Arugas Habosem¹ was once asked which part of the night should be dedicated for learning and which part of the night should be utilized for sleeping. Rambam² writes that a person acquires most of his wisdom from the Torah he studies at night. He does not, however, specify whether a person should begin the night learning and continue to do so until he falls asleep or whether he should begin the night asleep and wake up and study before dawn.

In his response he notes that in all the places that Chazal extol the virtue of studying Torah at night they do not specify whether they refer to the first half of the night or the second half of the night. Nevertheless, there are some sources that seem to hint to the idea that it is preferable to wake up early and study during the second half of the night. One such source is the Midrash³ that writes that the song of Torah (רנה של תורה) is at night and cites the verse (Eicha 2:19) which reads, קומי רוני בלילה לראש אשמורת – Arise, cry out at night at the beginning of the watches. Since the verse mentions אשמורת it seems that the preferable time is the second half of the night towards morning.

He then notes that many pious and righteous individuals would spend the first part of the night studying Torah. Their rationale, he proposes is based on the principle אין ספק מוציא מידי ודאי – an uncertainty does not take away from that which is certain. In other words, if someone has the energy to learn now he should do so rather than sleep with the expectation that he will arise early to learn since it is common for a person to oversleep. Ultimately, he writes that each person has to determine for himself which part of the night will be most productive for his learning but if all things are

(Overview...continued from page 1)

This source is rejected and an alternative source is presented.

Tangentially, the Gemara explains why the Urim v'Tumim was called the Kereisi u'Pleisi.

The source that Dovid Hamelech awoke before daybreak is cited.

5) Extending boundaries

R' Shimi bar Chiya gives the source that Sanhedrin is needed to extend the boundaries of Yerushalayim or the courtyards of the Beis Hamikdash. Rava unsuccessfully challenges this source.

6) Appointing sanhedrins

The source that Sanhedrin is needed to appoint a lower Sanhedrin is cited.

A Baraisa discusses the details of appointing judges and officers throughout the land.

7) The subverted city

R' Chiya bar Yosef in the name of R' Oshaya gives the source that Sanhedrin adjudicates the subverted city.

The sources that a city on the border cannot be designated a subverted city and that three subverted towns may not be designated are presented.

On some occasions Rav explained that the limit of declaring three subverted towns is limited to a single Sanhedrin and on other occasions he said that the restriction applies even to multiple Sanhedrins.

Rav explains the second position.

Reish Lakish adds a qualification to this ruling.

R' Yochanan disagrees with this qualification and a Baraisa is cited that supports his position.

A detail of the Baraisa is unsuccessfully challenged.

8) The number of members of the Great Sanhedrin

The rationale of the position that the Great Sanhedrin was composed of seventy-one members is explained. ■

equal one should give preference to the second half of the night as we see from Dovid HaMelech's behavior cited in our Gemara. ■

1. שו"ת ערוגת הבשם או"י ח סי' א'.

2. רמב"ם פ"ג מהל' תלי תורה הי"ג.

3. שמות רבה מז: ה: ■

STORIES Off the Daf

The place of the Urim v'Tumim

”ואח"כ נמלכים באורים ותומים”

A certain businessman purchased a large quantity of esrogim. He had two options for importing them but was unsure which was best. Although he didn't know much about his options, he figured he would consult with Rav Simchah Bunim of Otbotzek, zt"l, regarding this question. After all, surely the tzaddik would steer him right. But when he did so, he received a very surprising reply. “In Sanhedrin 16 we find that when Dovid

HaMelech would go to war, he would first ask Doeg and Achitofel and consult with the Sanhedrin. The third step was for them to consult with the Urim v'Tumim. But why not circumvent the first two steps? Wouldn't it be easier just to ask the Urim v'Tumim?

“The answer is that one must first do his utmost to check out a proposal through the light of his own understanding. He can consult with the Urim v'Tumim only after careful consideration. The same is true regarding your question. It is incumbent upon you to do your utmost to clarify which way is best. If, after all your efforts, you are still uncertain, then you can consult with me and I will do my utmost to help you make the best

choice possible.”¹

Rav Yitzchak Moshe Ehrlenger, shlit"א, once pointed out, that people often make such mistakes regarding the place of a rebbe. “Some feel that the job of a tzaddik is to somehow remove their free will. These people will ask the strangest questions, like, ‘Should I go do my banking today?’ They fail to understand that while a rebbe can often advise one and put him on a good path, he cannot—and should not—circumvent the need for his chassidim to think for themselves.”² ■

1. בית דלי, ע"י י"ח

2. כן שמעתי ממנו בשיעור שמסר לרבים ■