

OVERVIEW of the Daf

1) **MISHNAH:** The Mishnah describes the event that led to the necessity to hold a lottery to determine which Kohen would remove ashes from the Altar in the morning.

2) The reason for the lottery

The Gemara questions why they did not initially have a lottery for determining who would remove ashes from the Altar.

The reason, explains the Gemara, was the assumption that as a nighttime service there would not be much interest and a lottery was unnecessary.

This explanation is unsuccessfully challenged.

A second version of the Gemara's discussion is presented.

R' Ashi explains that there were two stages to the enactment to have a lottery to determine who would remove the ashes from the Altar.

3) The finish line

R' Pappa inquires about the precise location of the finish line for determining who removes the ashes from the Altar, and a solution is not found.

4) Counting Jews

The Gemara explains that the kohanim were counted by their fingers rather than themselves because of the prohibition against counting Jews.

Different opinions are cited regarding the number of prohibitions one violates when counting Jews.

A contradiction is noted whether the Jewish People will be as numerous as the grains of sand or whether they will be infinite. The Gemara differentiates between when the Jewish People follow Hashem's will and when they do not.

5) Shaul HaMelech

Shmuel demonstrates from pesukim that describe Shaul HaMelech that once a person is appointed leader of the community he becomes wealthy.

The Gemara presents the debate Shaul HaMelech had with Hashem regarding the destruction of Amalek and the kohanim of Nov.

R' Huna states that Shaul HaMelech sinned once and it was held against him whereas Dovid HaMelech sinned twice and it was not held against him. Their respective sins are identified.

R' Huna's statement is unsuccessfully challenged.

R' Huna declares that when Shaul HaMelech was appointed king he was free from sin like a one year old child.

R' Nachman bar Yitzchak challenged this statement and was rebuked for it in a dream.

R' Yehudah in the name of Shmuel suggested an explanation as to why Shaul HaMelech's monarchy did not survive.

R' Yehudah in the name of Rav stated that Shaul was punished because he was forgiving with his honor. ■

Distinctive INSIGHT

Why did Shaul neglect the mitzvah to destroy Amalek?

אמר ר' מני על עסקי נחל. בשעה שאמר לו הקב"ה לשאול לך והכית את עמלק, אמר ומה נפש אחת

The Chasam Sofer explains that Shaul was the one chosen by Hashem to lead Klal Yisroel as the first king. He certainly did not rely upon the logical argument that it was cruel to kill people in war and thereby intend to disobey and ignore the mitzvah of the Torah to destroy Amalek. In fact, later in the narrative (Shmuel 1, 15:24), Shmuel only accuses Shaul of fearing the nation, and not of total disregard of the mitzvah of the Torah. If we analyze the verse brought by Rebbe Mani in our Gemara, we will discover the key to this episode. When the verse describes "the struggle of Shaul in the valley," it is followed by Shaul's decision to warn the people of Keini to distance themselves from Amalek, who were to be destroyed. Shaul did not have to formally warn the Keini to move away, because it was self-evident that if they would find themselves in the crossfire of battle they would be in danger of getting killed. Nevertheless, Shaul did warn them, due to his concern for the primacy of human life. He learned from the mitzvah of Eglu Arufa that harming innocent bystanders should be avoided. When the people became aware of Shaul's concern for the welfare of the Keini, they took it to the next step, and they were reluctant to kill Amalek, as well. Shaul should have firmly led the people in battle against Amalek, but, instead, he capitulated to them, and he was afraid to confront the nation. As a result, some of Amalek survived.

Oneg Yom Tov (Introduction, ד"ה ומכל) points out that the mitzvah to kill Amalek is only in effect once we have a king. A king cannot be afraid of any mortal, and by shying away from his mission, Shaul, in effect, abrogated his reign. Now that there was no king, this legitimately undermined the mitzvah to destroy Amalek. Shmuel informed him that this trick of forfeiting his position in order to save Amalek was an expression of despising the word of Hashem (ibid. v. 23). ■

HALACHAH Highlight

Everyone counts

דא"ר יצחק אסור למנות את ישראל אפילו לדבר מצוה דכתיב ויפקדם בבזק וכו' ויפקדם בטלאים. אר"א כל המונה את ישראל עובר בלאו וכו' רב נחמן בר יצחק אמר עובר בשני לאוין

As R. Yitzchak said: It is prohibited¹ to count Jews even for the sake of a Mitzvah, as it says, "And he counted them with pot shards," "And he counted them with sheep." R. Elazar said: One who counts Jews has violated a prohibition ... R. Nachman bar Yitzchak said: He has violated two prohibitions.

Chasam Sofer² rules that it is prohibited to count Jews even in written form. He derives this from the fact that Shaul HaMelech did not count the Jewish People by writing, as opposed to verbalizing their number. Additionally, even when one counts Jews in a permitted fashion, e.g. by counting pottery shards, sheep or fingers, nonetheless, it is permitted³ only if there is a need, like in the time of Shaul HaMelech and in the Beis HaMikdash. According to some authorities⁴ the prohibition applies even if the final count is an estimate rather than exact numbers. For this reason there were Gedolim⁵ who ruled that families in Israel should not fill out census forms because of the prohibition against counting Jews. In light of these halachos there are those⁶ who use pesukim

REVIEW and Remember

1. What was the finish line for determining who would remove the ashes from the Altar?
2. What is more difficult than staying up all night?
3. When was Shaul HaMelech too righteous and when was he too wicked?
4. Why did the Angel of Terror visit R' Nachman bar Yitzchak twice?

that contain ten words (For example, 'הושיעה את עמך וכו', when counting Jews, rather than using numbers. ■

1. ואיסור זה הובא להלכה במג"א סימן קנ"ו ובקיצור שו"ע סימן ט"ו ס"ג
2. כ"כ הכתב סופר יו"ד ק"ו בשם החת"ס והביאו שו"ת שבט הלוי ח"ו סימן כ'
3. שו"ת שבה"ל הנ"ל בשם ראשונים
4. בפס"ת קנ"ו כ"ד בשם מרן הגרי"י קניבסקי זצ"ל בקריינא דאיגרתא שהוכיח כן
5. הגר"ש וואזנאר הנ"ל וכן זכורני מכתב מהגר"ח ק שליט"א, וכ"כ בתשובות והנהגות וצ"א והובאו בפס"ת שם
6. בקיצור שו"ע ט"ו ג' ■

STORIES Off the Daf

Absolute integrity

בראשונה כל מי שרוצה לתרום את המזבח תורם

The author of Sefer HaMiddos, zt"l, interprets the opening Mishnah of today's daf in a surprisingly novel way: "In earlier generations, anyone who wanted to rise (להתרומם-לתרום) and take a position of authority could do so just by wanting to do so (רצין-רצון). If there was competition, whoever ascended to higher levels in avodas Hashem (בכבש-כבשונו) and proved the greater master of halachah של (של עולם) (בארבע אמות-בד' אמות של) prevailed. If both were equally qualified, the yetzer hara (ממונה) would

suggest falsely flattering the community (הצביעו) to secure the position. The evil inclination would rationalize that a bit of hypocrisy is nothing to worry about (ומה הן מוציאין? אחת או שתיים) - one can always regain one's integrity after the contract is signed. But the righteous of earlier generations would not budge an iota, since they knew that their duty was to the Creator alone (אין מוציאין אגודל) (במקדש).

Rav Yehoshua Leib Diskin, zt"l, was a thorn in the side of the Maskilim of Brisk. He saw them as a poisonous threat and did everything he could to obstruct their progress. In desperation, they planted counterfeit money in the Rav's home and informed on him. Rav Diskin was arrested, and the loyal Jews of the town hired a famous lawyer to prove him innocent of this capital crime. True to his conviction that one

may not gaze upon the wicked, the Rav refused to look his own attorney in the face during their conversation in his cell. At the trial, the lawyer opened with a strange statement:

"Before I present my arguments, acquaint yourselves with the nature of this defendant. The Rabbi knows that I hold his fate in my hands, that a wrong word from me can cost him his life. Yet he never looked directly at me during any of our conferences because, in his opinion, I am a wicked man! How could it be that such a principled man committed the crime of which he is accused? It must be that this is a trap laid by his many opponents, who would do anything to silence him!" The court was convinced of the truth of this statement, and Rav Diskin was acquitted. ■

