

# Daf Notes

Insights into the Daily Daf

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## Daily Daf

### *Necessary Rulings?*

Rav Yosef sat behind Rabbi Abba, who was sitting in front of Rav Huna. Rav Huna said that we rule like Rabbi Yehoshua ben Karchah, and like Rabbi Yehudah. We rule like Rabbi Yehoshua ben Karchah, who says in our *Mishna* that one may collect a debt from an idolater at any time, as he is salvaging the money. We rule like Rabbi Yehudah in the case of someone who was hired to dye wool one color, but dyed it a different one. Rabbi Meir says that he must pay back the owner the value of the wool he provided, as his change to the wool made him a robber, who has acquired ownership by the item's change, while Rabbi Yehudah says that he returns the wool, but is reimbursed at a discounted rate – the minimum of the expenses and appreciation – so that he not benefit from his change in terms.

Rav Yosef turned around to indicate his disapproval. [*The Gemora explains why.*] It was necessary to rule like Rabbi Yehoshua ben Karchah, since we would have otherwise ruled like the majority opinion of the Sages against his individual opinion. However, it is obvious that we rule like Rabbi Yehudah, since the *Mishna* in Bava Kamma, which cites the dispute of Rabbi Meir and Rabbi Yehudah, is followed by an anonymous *Mishna* in Bava Metziah, which follows Rabbi Yehudah's opinion, and we always rule like an anonymous *Mishna* which follows one opinion of an earlier dispute.

The *Gemora* explains that Rav Huna says that we cannot assume any specific order between *Mishnas* across different *masechtas*, and therefore it is not clear that this is an anonymous *Mishna* following a dispute, and not a dispute after an anonymous *Mishna*.

The *Gemora* explains that Rav Yosef either says that all of *Nezikin* is considered one *masechta*, or says that we would rule like Rabbi Yehudah since the anonymous *Mishna* is unnecessary in its context, and is only recorded as a final ruling. (6b – 7a)

### *Rabbi Yehoshua ben Karchah*

The *Gemora* cites a number of rulings of the later *Amoraim* about various disputes between Rabbi Yehoshua ben Karchah and other *Tannaim*:

1. The *braisa* says that one may not tell his friend on *Shabbos*, "Let's see if you'll join me for work tonight," as it is a forbidden discussion of mundane activity. Rabbi Yehoshua ben Karchah permits this. Rabbah bar bar Chana rules like Rabbi Yehoshua ben Karchah.
2. The *braisa* says that if one received a *halachic* ruling rendering something impure or forbidden, he may not ask another Sage, who may render it pure or permitted. If two Sages dispute whether it is impure/forbidden or pure/permitted, if one is of the Sages is superior in age and intellect, one must follow his ruling, but otherwise he must follow the stricter ruling. Rabbi Yehoshua ben Karchah says that in a Torah area of *halachah*, one must follow the stricter ruling, but in a Rabbinic area,

he may follow the more lenient ruling. Rav Yosef rules like Rabbi Yehoshua ben Karchah.

3. The *braisa* says that if people who had transgressed repented, Rabbi Meir says we do not accept them. Rabbi Yehudah says that we accept them only if they repented publicly. Some say that Rabbi Yehudah says we accept them only if they had transgressed privately. Rabbi Shimon and Rabbi Yehoshua ben Karchah say that we accept them in all cases, as the verse says that the wayward sons should all return. Rabbi Yitzchok from Akko quotes Rabbi Yochanan, who rules like this latter pair of *Tannaim*. (7a – 7b)

### ***Before, or also after?***

The *Mishna* says that Rabbi Yishmael forbids business dealings with idolaters for three days before and three days after their holiday, while the Sages only forbid before the holiday.

Shmuel explains that according to Rabbi Yishmael, it is always forbidden to do business with idolaters who keep one day of the week as a holiday, as the three before and three after encompass the whole week.

The *Gemora* offers a number of options for the difference between the Sages in this *Mishna* and the anonymous opinion in the first *Mishna*:

1. The first *Mishna* forbids business for three days before the holiday, while the Sages of this *Mishna* forbid three days, including the holiday
2. The first *Mishna* renders money that one earned from did business during the prohibited time permitted, while this *Mishna* renders it forbidden.
3. The first *Mishna* only prohibits the holiday itself among idolaters in the *golah* – out of *Eretz Yisrael*, while this *Mishna* prohibits three days before the holiday for all idolaters.
4. The first *Mishna* forbids business for three days before the holiday, while the Sages of this *Mishna* follow Nachum Hamadi, who forbids only one day before. (7b)

### ***Nachum Hamadi***

The *Gemora* cites *braisas* with an individual opinion of Nachum Hamadi, which the Sages reject, saying that it should be forgotten and never cited:

1. Nachum Hamadi only forbids business for one day before the idolaters' holiday. Although the *Gemora*

suggested that the Sages in our *Mishna* follow this opinion, it was simply identifying these Sages as Nachum Hamadi, leaving it an individual opinion.

2. Nachum Hamadi permits selling idolaters an old male horse on the battlefield. Although Rabbi Yehudah ben Besairah permits selling them any horse, this is because he does not accept the prohibition of selling a horse. Nachum Hamadi, who accepts the prohibition in principle, makes an exception for an old male horse, and the Sages utterly reject that exception.
3. Nachum Hamadi says that one separates *terumah* and *ma'aser* from the sheaves spice whether it was picked when it was leafy, when it grew strands, or if it was harvested when it was hardened and contained seeds. Although Rabbi Eliezer says the same thing, he is discussing garden grown sheaves, which it is common to pick it at these different times. However, when it is planted in a field, it is only picked when hardened, so the Sages reject Nachum Hamadi's opinion. (7b)

### ***Additions to Prayer***

Rav Acha bar Minyomi remarked to Abaye that such a great Torah scholar as Nachum Hamadi, who came from the same place as them, never has his opinion accepted by the Sages.

Abaye pointed out that we do rule like him in his statement that one may ask for all requests in the blessing of *shomea tefillah* – *He who hears prayer*.

Rav Acha objected, since we are not accepting his opinion per se, as that is also the opinion of the Sages in another *braisa*. The *braisa* cites three opinions on the structure of prayer:

1. Rabbi Eliezer says that one should first ask Hashem for his needs, and then pray, as the verse refers to the prayer of a destitute person when he is in need [i.e., verbalize his needs], and (then) he pours his speech in front of Hashem [i.e., pray].
2. Rabbi Yehoshua says that one should first pray, and then ask Hashem for his needs, as the verse says that I will pour out my speech to Hashem [i.e., pray], and (then) tell him my troubles [i.e., verbalize needs].
3. The Sages disagree, and say that one asks Hashem for his needs in the blessing of *shomea tefillah*.

The *Gemora* explains that each verse cited by Rabbi Yehoshua and Rabbi Eliezer can be explained in either order, depending on how it is read - since instead of

considering the second clause to be subsequent, it can be describing the time at which the first clause occurs. Their dispute rather depends on the statement of Rabbi Simlai who says that from Moshe we learn to first recount the praises of Hashem, and then ask for his needs, as Moshe did so when asking for permission to enter *Eretz Yisroel*. Rabbi Yehoshua accepts Rabbi Simlai's statement, and therefore says that one should first pray, while Rabbi Eliezer says that Moshe was great enough to do this and not appear haughty, but a regular person appears haughty when delaying his request until after prayer.

The *Gemora* concludes with statements detailing how a person can add personal requests in prayer, in addition to inserting into *shomea tefillah*:

1. Additional requests that fall in the category of a specific blessing can be added at the end of that blessing. (Rav Yehudah berai dRav Shmuel bar Shailas in the name of Rav)
2. If one wishes to pray for someone sick, he adds a request in the blessing of healing. If one needs a livelihood, he adds a request in the blessing of the produce. (Rav Chiya bar Ashi in the name of Rav)
3. At the end of prayer, one can add freely, even as long as the prayer of *Yom Kippur*. (Rabbi Yehoshua ben Levi) (7b – 8a)

## INSIGHTS TO THE DAF

### *Two Rulings*

The *Gemora* cites a *braisa* which states that one who received a ruling from on Sage prohibiting something, he may not ask another Sage who may permit it. Tosfos (7a Hanish'al) adds a number of qualifications to this statement:

1. It is only forbidden to ask another Sage if he does not mention the first ruling he received.
2. The second Sage should not permit it, unless he feels he can convince the first Sage that he erred.
3. If the first Sage permitted, the second Sage can forbid.

### *Two Versions*

The *braisa* continues to discuss what one should do if two Sages differ on a ruling. Tosfos (7a B'shel) discusses the possible application of this *braisa* to instances of alternate statements in the *Gemora*, indicated by *ika d'amri – some say*. Tosfos cites four positions on how to resolve these alternate statements:

1. We rule like the strict version in Torah *halachah*, while we rule like the second version in Rabbinic *halachah*. (Rashi)
  2. We always rule like the first version, as the second one is ancillary, and is therefore phrased as *some say*. (Riva)
  3. We rule like the strict version in Torah *halachah*, and like the lenient version in Rabbinic *halachah*, following the rule of Rabbi Yehoshua ben Karchah in the *braisa* about a dispute between Sages. (Rabbeinu Tam)
- Rabbeinu Shimshon adds that if we can prove one of the versions, we rule like that one.

### *Additions to Prayer*

The *Gemora* discusses how one may add requests to the standard *shemoneh esreh*. The *Gemora* cites three statements:

1. One may add any personal requests in *shema kolainu*.
2. Additional requests in a specific *brachah's* category can be added at the end of that *brachah*.
3. Personal requests can be added in the relevant *brachah* (e.g., praying for someone sick in the *brachah* of healing)
4. At the end, one may add freely.

The Bais Yosef (OH 119) cites Rabbeinu Yonah, who understands these to be separate parameters for additions. The *Gemora* is defining four categories of additions:

1. If one wishes to add his own version of the request of one of the *brochos*, he may do so, but only at the end of the *brachah* (after he has finished the standard text), and only in plural form.
2. If one wishes to insert a personal request, he may do so in singular form, even in the middle of the appropriate *brachah*.
3. One may insert any personal request in *shomea tefillah*.
4. One may add freely at the end of the prayer.

The Bais Yosef notes that the Rambam and Rosh do not accept these distinctions, but understand that the *Gemora* is simply stating that one may insert any personal requests, even in singular form, either in *shomea tefillah*, or in the appropriate *brachah*, as well as insert anything at the end. The Shulchan Aruch (119:1) cites both opinions.