



Daf In Review – Weekly Chazarah

Maseches Kiddushin, Daf כז – Daf לז

Daf In Review is being sent I'zecher nishmas R' Avrohom Abba ben R' Dov HaKohen, A"H
vI'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

-----Daf כז---27-----

- **Q:** When acquiring with kinyan agav, does the seller need to explicitly say that he is accomplishing the kinyan with agav or not? **A:** The Gemara has previously brought down a number of Mishnayos and Braisos that discuss kinyan agav, and never said that it must be explicitly mentioned by the seller.
 - This is no proof, because the seller would certainly have to tell the buyer “be koneh”, and there is no mention of him saying that either. It must be that it is understood that he must say that, and therefore, it may be that it was not stated that he said “agav” because it is understood that he must say that.
 - The Gemara paskens that the moveable items do *not* need to be piled onto the land that is being used for the kinyan agav, but the seller must explicitly state “be koneh” and “with kinyan agav”.
- **Q:** What if the field is being sold, and the moveable items are being given as a gift, may a kinyan agav be used? **A:** From the story of **R' Gamliel** on the ship we see that it would be effective. In that case he rented the land to **R' Yehoshua and R' Akiva**, and gave the produce on that land as a gift, and it was effective. **SHEMA MINAH.**
- **Q:** What if the field is being transferred to one person and the moveable property is being transferred to another person? **A:** In the story of **R' Gamliel** on the ship we see that he rented the land to **R' Akiva** and the produce on that land was given to the poor people. This shows that both kinyanim are effective even though they are to two different people.
 - This is no proof for two reasons. One, when he rented the land it was rented for the poor people as well. Second, since **R' Akiva** was the one in charge of collecting for the poor people, renting to him was like renting to the poor people themselves.
- **Rava** said, agav only works when the moveable items were paid for in full. If they were not paid for in full, the kinyan only works for the amount of moveable items that were already paid for.
 - There is a Braisa that is a proof to **Rava**. The Braisa says, a kinyan with money is stronger than a kinyan with shtar in some respects, and a kinyan with shtar is stronger than a kinyan with money in other respects. A kinyan with money is stronger in that money can be used to redeem hekdesch and maaser sheini, whereas shtar cannot. A kinyan with shtar is stronger in that a shtar can be used to release a woman from a marriage, whereas money cannot. Both of these are stronger than chazaka in that they can both be used to acquire an eved ivri, and chazaka is stronger than both of these in that when one is buying 10 properties in 10 countries and makes chazaka on one of them, he is koneh all of them. This is true only if he had already paid for all 10 properties. If he had not, he is only koneh the fields for which he has paid. Now, this is similar to the idea of **Rava** with regard to being koneh moveable property with kinyan agav, and therefore is a proof to **Rava**.
 - The Braisa is a proof to **Shmuel**, who says that if one buys 10 properties in 10 countries, as soon as he does chazaka on one of them, he is koneh all of them.
 - **R' Acha the son of R' Ika** said, **Shmuel** must be right, because if a seller handed over to a buyer 10 animals tied with one halter and told him “be koneh”, he would surely be koneh, so the same is with the 10 properties. The **Rabanan** told **R' Acha**, the cases are not similar. In the case of the animals, all 10 animals are bound in the buyer's hand. In the case of the properties, they are not.
 - **Others** say that **R' Acha the son of R' Ika** said, the person will surely not be koneh all 10 properties based on one act of chazaka. We can see this from the case of a seller who handed over to a buyer 10 animals tied with one halter and told him “be koneh”, where he would surely not be koneh. The same is with the 10 properties. The **Rabanan** told **R' Acha**, the cases are not similar. In the case of the animals, each animal is a separate entity. However, land is all part of the one earth, and is therefore connected.

V'ZOKIKIN ES HANECHASIM...

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- **Ulla** said, we learn that the concept of gilgul shevuah is D’Oraisa based on the pasuk regarding sotah of “v’amra ha’isha amen amen”. A Mishna explains, why does the woman answer to the Kohen “Amen, Amen” (why does she say Amen twice)? She is saying Amen to the curse and Amen to the oath. She is saying Amen that she wasn’t mezaneh with this man, and Amen that she was not mezaneh with any other man. She is saying Amen that she was not mezaneh as an arusah or as a nesuah. Amen that she was not mezaneh as a shomeres yavam or after having been married with yibum. Now, what is the case of the arusah? It can’t be talking about where she was warned as an arusah and was given to drink as an arusah, because a Mishna says that an arusah and a shomeres yavam are not given to drink the mei hamarim and do not collect their kesubah, based on the pasuk of “tachas isheich”, so she would not need to swear about this!? It also can’t be talking about where she was warned as an arusah, secluded herself as an arusah and then was given to drink as a nesuah, because the pasuk says “v’nikah ha’sih mei’avon”, which teaches that the mei hamarim only do their checking if the man didn’t do an aveirah with her, and his marriage to her after her seclusion was an aveirah, and therefore she would not be given to drink, and would not swear about this case. If so, why would a woman ever swear regarding the time period when she was an arusah? It must be that she swears based on a gilgul shevuah, and we see that gilgul shevuah is found in the Torah.
 - **Q:** This can be the source for a matter of issur, but where do we have a source for gilgul shevuah in monetary matters? **A:** In the yeshiva of **R’ Yishmael** they taught that it is based on a kal v’chomer – if sotah, who cannot be made to swear based on a single witness, can be made to swear with gilgul shevuah, then in monetary matters, where one can be made to swear based on a single witness, surely he can be made to swear based on gilgul shevuah.
 - **Q:** This can be the basis for a claim that is made in certainty. What is the basis for an uncertain claim? **A:** A Braisa says, **R’ Shimon ben Yochai** says, we learn the swearing outside the Beis Hamikdash (all cases of swearing) from the swearing inside the Beis Hamikdash (sotah). Just like regarding sotah we treat a safek as a case of certainty, the same will be with regard to others cases of swearing.

-----Daf פד-----28-----

- **Q:** How far do we take the concept of gilgul shevuah? **A:** **R’ Yehuda in the name of Rav** said, a person can even make another person swear that he is not his slave, based on a gilgul shevuah.
 - **Q:** A Braisa says that if a person makes a baseless claim against another person, saying that the person is an eved knaani, we put the accuser into cheirem. Clearly we would not allow someone to force another to swear that he is not an eved!? **A:** **Rava** said, **R’ Yehuda** meant that he can make a person swear that he was not sold to him as an eved ivri.
 - **Q:** By saying he can “even” make him swear about this, it seems to say that it is an extreme case of requiring the shevuah. Why is that so? He is making a simple claim for money and as such should be able to require that a shevuah be made!? **A:** **Rava** follows his view elsewhere, that the body of an eved ivri is owned by his master, and as such he is considered to be real property, not moveable property. Therefore, it is a chiddush to say that a shevuah can be made, since one does not normally swear on matters involving real property.
 - **Q:** If so, this is the exact case of the Mishna, when it says that gilgul shevuah can make someone swear on land!? **A:** We would think to say that sale of land can be done without public knowledge, and therefore a shevuah can be appropriate to bring the true facts to light. However, regarding the sale of a person into slavery, that is something that is done with public knowledge, and therefore there is no reason to allow for a shevuah for something that would be known if it were true. **Rava** therefore teaches that a gilgul shevuah may even make someone swear in a situation like that.

MISHNA

- With regard to anything used as payment for something else, as soon as the payment is given to the seller, the buyer becomes responsible for the item that was paid for.

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- How is this so? If one exchanges an ox for a cow, or a donkey for an ox, once one person has taken possession of one of the animals, the other person becomes responsible for the other animal.

GEMARA

- **Q:** Presumably the Mishna's opening clause is referring to when a coin is given in exchange for an item. This would mean that chalipin can be done with money, which is not the accepted view!? **A: R' Yehuda** said, the Mishna means to say that if anything *other than* money is used for an exchange, once the seller takes possession of it, the buyer becomes responsible for the other item. This must be the proper understanding, because the example that the Mishna gives is the exchange of animals.
 - **Q:** According to the presumed meaning, that the Mishna refers to a coin, what was the understanding of the Mishna when it said "how is this so"? **A:** The Mishna was thought to be saying that produce can also be used for chalipin, and the Mishna then meant to give the example of where one exchanged the meat of an ox for a cow, or the meat of a donkey for an ox.
 - **Q:** This makes sense according to **R' Sheishes**, who says that produce can be used for chalipin. However, according to **R' Nachman** who says that it can't, how will he explain the Mishna? **A:** We will have to explain the Mishna to mean that there are types of monetary payments that are like chalipin. The Mishna then gives the example, if one exchanges money that is owed to him for an ox, for a cow (he is owed money for an ox and then instead takes a cow in the place of the money owed to him). As soon as the one who is now giving the cow says "take the cow instead of the money", the kinyan is effective.
 - The reason the kinyan is effective without meshicha is that the Mishna holds like **R' Yochanan**, who holds that D'Oraisa money can acquire moveable property. The **Rabanan** require meshicha as a gezeirah. However, in an unusual case (as in the one above) they were not goizer.
 - **Q:** How will **Reish Lakish**, who holds that even D'Oraisa only meshicha can be used to acquire moveable property, explain the Mishna? If he holds like **R' Sheishes**, he can answer that produce is being used. But, if he holds like **R' Nachman**, how will he explain the kinyan? **A:** He must hold like **R' Sheishes**.

MISHNA

- Hekdesh is koneh with money, whereas private people are koneh with chazakah (meaning meshicha – Rashi).
- A person saying that he will give something to hekdesch is as effective a transaction as one physically handing something over to a private person.

GEMARA

- A Braisa says, how does hekdesch acquire with money? If the "gizbar" (the hekdesch treasurer) gives money for an animal, wherever in the world the animal is, it is acquired by hekdesch. A private person, on the other hand, would not be koneh until he does meshicha. How is it that merely saying to give something to hekdesch is as effective as something physically given to a private person? If a person says "this ox should be an Olah" or "this house should become hekdesch", they become the property of hekdesch wherever in the world these items are actually located. A private person, on the other hand, would not be koneh until he did meshicha on the ox or chazakah on the house.

The Braisa continues, if a person made meshicha on something from hekdesch when it was worth a maneh, and before he could pay for it, the value increased to 2 maneh, he must pay 2 maneh. [The Gemara says, this is based on the pasuk of "v'nossan hakesef v'kam lo"]. If he did the meshicha when it was worth 2 maneh and before he could pay for it, the value decreased to 1 maneh, he must pay 2 maneh. [The Gemara explains, this is because it is not right that a private person be in a stronger position than hekdesch].

The Braisa continues, if a person pays 200 for an item of hekdesch, and before he could do meshicha the value decreased to 100, he must pay 200. [This too is based on the pasuk of "v'nossan hakesef v'kam lo"]. If he paid

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100 for the item, and before he could do meshicha the value increased to 200, what is done is done, and he only needs to pay the 100.

- **Q:** In this last case we should again say that it is not right for a private person to be in a stronger position than hekdesch, and therefore he should have to pay 200!? **A:** A private person is also not allowed to renege on a deal after payment was given. Therefore, hekdesch is treated in the same way.

-----Daf װ---29-----

MISHNA

- With regard to all mitzvos of the son on the father, men are chayuv and women are patur. With respect to all mitzvos of the father on the son, both men and women are chayuv.
- With regard to all mitzvos assei that are time bound (“shehazman grama”), men are chayuv and women are patur. With regard to mitzvos assei that are not time bound, both men and women are chayuv. With regard to mitzvos lo saasei, whether they are time bound or not, both men and women are chayuv, except for the lo saasei of “baal takif” (rounding the corners of one’s head – i.e. not leaving peyos), of “baal tashchis” (destroying the corners of the beard), and of a Kohen not becoming tamei to meisim.

GEMARA

- **Q:** What is meant by “all mitzvos of the son on the father”? If it means all the mitzvos that a son is obligated to do for the father, why would women be patur? A Braisa learns from the pasuk of “ish imo v’aviv tira’u (written in the plural form)” that a woman is chayuv in those mitzvos as well!? **A: R’ Yehuda** said, the Mishna means - all mitzvos of the son, that a father is obligated to do for his son, men are chayuv and women are patur.
 - The Mishna is a proof for a Braisa. The Braisa says, a father is chayuv to do the following for his son: to give him a bris, to do pidyon haben if he is a bechor, to teach him Torah, to marry him off to a woman, and to teach him a profession. **Some** say that he must also teach him how to swim. **R’ Yehuda** says, anyone who does not teach his son a trade has taught him how to be a thief.
 - **Q:** Has he actually taught him thievery? **A:** He means that it is *as if* he taught him thievery.
 - The obligation to give him a bris is learned from the pasuk of “vayamal Avrohom es Yitzchak beno”. If a father did not give his son a bris, the Beis Din is chayuv to do so, based on the pasuk of “himol lachem kol zachar”. If Beis Din did not do so, the person himself must give himself a bris, based on the pasuk of “v’arel zachar asher lo yimol...”
 - **Q:** How do we know that a woman is not chayuv to give her son a bris? **A:** The pasuk says “kasher tziva osô Elokim” – him and not her.
 - **Q:** How do we know that for later generations (after Avrohom) the obligation remains only on the father, and not the mother? **A:** The yeshiva of **R’ Yishmael** taught, whenever the Torah writes “tzav” it means for the commandment to be carried out with “zrizus” and for it to be that way for then and for all future generations.
 - The obligation to do pidyon haben is learned from the pasuk of “kol bechor banecha tifdeh”. If the father did not redeem him, he himself must redeem himself, based on the pasuk of “padoh sifdeh”.
 - **Q:** How do we know that a woman is not chayuv to redeem her son? **A:** The pasuk says “tifdeh” which can also be read as saying “tipadeh” (you shall become redeemed). This teaches that only someone who is himself chayuv to redeem himself can become chayuv to redeem someone else.
 - **Q:** How do we know that a woman is not obligated to redeem herself? **A:** The pasuk says “tifdeh” which can also be read as saying “tipadeh”. This teaches that only someone who others are obligated to redeem must redeem themselves, and the pasuk says “kol bechor *banecha* tifdeh” – sons and not daughters.
 - A Braisa says, if a man must redeem himself and has a son who must be redeemed, his own redemption takes precedence over that of his son. **R’ Yehuda** says his son’s

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redemption takes precedence, because his own redemption was the obligation of his father, whereas his son's redemption is an obligation on him.

- **R' Yirmiya** said, all agree that if he only has 5 sela'im, his own redemption takes precedence, because one's own mitzvah comes first. The machlokes is where he has 5 sela'im of unencumbered money, and 5 sela'im in encumbered monies. **R' Yehuda** holds that an obligation in the Torah is like a written loan, and therefore he should use the unencumbered money to redeem his son, and have the Kohen collect the encumbered money for his own redemption. The **Rabanan** hold that such an obligation is not like a written debt. Therefore, he should use the available money for himself, since one's own mitzvah takes precedence.
- A Braisa says, if a man is faced with the obligation to redeem his son and to be oleh regel, he must first redeem his son, and then is oleh regel. **R' Yehuda** says he is first oleh regel and then redeems his son, because the time for oleh regel will pass, and the time for redeeming his son will not.
 - **Q: R' Yehuda** gives his reason, but what is the reason of the **Rabanan**? **A:** They base it on the pasuk that first says "kol bechor banecha tifdeh" and then says "lo yeira'u panai reikam".
- A Braisa says, how do we know that if a man has 5 sons born to him from 5 wives that each of them must be redeemed? It is based on the pasuk of "kol bechor banecha tifdeh".
 - **Q:** This seems obvious, since the obligation to redeem is based on "peter rechem" – the opening of the womb, and is thus dependent on whether the bechor is the first born of the woman!? **A:** We would think to learn a gezeirah shava from bechor regarding inheritance, and there it is only the bechor of the father that is treated differently.
- The obligation to teach a son Torah is learned from the pasuk of "v'limadtem osam es bineichem". If a person was not taught by his father, he must teach himself Torah, based on the word "v'limadtem".
 - **Q:** How do we know that a mother is not obligated to teach her son Torah? **A:** The pasuk says "v'limadtem" and can be read as saying "ulimadtem" (you shall learn). This teaches that only one who is chayuv to learn is chayuv to teach.
 - **Q:** How do we know that a woman does not have to learn Torah? **A:** The pasuk says "v'limadtem" and can be read as saying "ulimadtem" (you shall learn). This teaches that only one who others are chayuv to teach is chayuv to learn.
 - **Q:** How do we know that others are not chayuv to teach a girl Torah? **A:** The pasuk says "v'limadtem osam es bineichem" – your sons, and not your daughters.
 - A Braisa says, if a man must choose (based on financial restrictions) to learn himself or to support his son to learn, his own learning takes precedence over his son's learning. **R' Yehuda** says, if his son is smart and retains what he learns, his son's learning takes precedence over his own.
 - This was played out in practice. **R' Yaakov**, the son of **R' Acha bar Yaakov** was sent to learn under **Abaye**. When his father saw that he was not sharp in his learning, he told him – you stay here and I will go and learn. When **Abaye** heard that the great **R' Acha bar Yaakov** was coming to learn by him, he thought it would be a great opportunity to rid the Beis Medrash of a powerful sheid that was there. He told everyone not to offer **R' Acha** a place to stay. **R' Acha** therefore had to sleep in the Beis Medrash. When he came to face the sheid he was able to destroy it.

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- A Braisa says, with the decision to learn Torah or to get married, one should first learn Torah and then marry. If he finds it difficult to live single, he should get married and then learn Torah.
- **R' Yehuda in the name of Shmuel** said, the halacha is that one should first get married and then learn Torah. **R' Yochanan** said, should one learn Torah with the responsibility of having to earn a living!? Rather, he should first learn and later marry. The Gemara says they don't argue. **Shmuel** paskened for the people of Bavel (who would learn away from home and therefore not bear the financial burden), and **R' Yochanan** paskened for the people of EY.
- **R' Chisda** sang the virtues of **R' Hamnuna** to **R' Huna**. **R' Huna** asked that **R' Hamnuna** be brought to him. When he came to him he saw that **R' Hamnuna** was not wearing a covering on his head. He asked him why and was told it was because he was not yet married. He turned away from him and told him that he didn't want to see him until he was married. **R' Huna** was following his view that one who is single at 20, lives his days in sin.
 - **Q:** Can it be said that he lives his life in sin? What has he done wrong? **A:** It means that he lives with immoral thoughts.
 - This is as **Rava** said, that Hashem waits for a person to reach 20 years old, asking when he will get married. If he reaches 20 and does not get married, He says "Let his bones rot".
- **R' Chisda** said, the reason I am greater than my friends is because I got married at 16 (at an early age), and had I got married at 14, I would have been even greater and could have started up with the satan without fear.
- **Rava** told **R' Nosson bar Ami**, you should marry off your son when you still have control over him – which is between the ages of 16 and 22. Others say from the age of 18 to 24.

-----Daf 30-----

- **Q:** How far does the obligation to teach a son Torah go? **A:** **R' Yehuda in the name of Shmuel** said, like it was done by **Zevulan ben Dan**, whose grandfather taught him Mikra, Mishna, Talmud, Halachos and Aggados.
 - **Q:** A Braisa says, if a father teaches his son Mikra, he need not teach him Mishna!? And **Rava** explained that Mikra only includes Torah, and not Nach. We see the obligation does not go as **Shmuel** said!? **A:** The obligation goes as far as the example set by **Zevulan ben Dan** in the sense that one is obligated to teach his grandson Torah, but it does not go as far as that example with regard to the extent of what must be taught.
 - **Q:** A Braisa says that the pasuk of "v'limadtem osam es bineichem" teaches that one must only teach his sons, and not his grandsons, and the pasuk of "V'hodatam livanecha v'livnei vanecha" teaches that one who teaches his son Torah is considered by the pasuk as if he taught his son, his grandson, and all future generations!? **A:** **Shmuel** holds like another Braisa, which says that the pasuk of "v'hodatam" comes to teach that there is an obligation to teach a grandson Torah.
 - **R' Yehoshua ben Levi** said, based on the pesukim, whoever teaches his grandson Torah is considered by the pasuk as if he personally received the Torah at Har Sinai.
 - **R' Chiya bar Abba** saw **R' Yehoshua ben Levi** running without a proper head covering befitting a person of his stature, while bringing his grandson to yeshiva. He asked him, why are you rushing like this? He answered, do you consider it a small thing that teaching a grandchild Torah is considered as if receiving the Torah on Har Sinai!? From that day on, **R' Chiya bar Abba** would not eat his daily meat in the morning until he reviewed some Torah with his grandchild and added something more from the previous time. We find that **Rabbah bar R' Huna** would also not eat his meat in the morning until he brought his grandchild to yeshiva.

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- **R' Safra in the name of R' Yehoshua ben Chananya** said, the pasuk of “vishinantam livanecha” should be read as “vishilashtam”, and it teaches that a person should divide his years into learning 3 areas – 1/3 Mikra, 1/3 Mishna, and 1/3 Talmud.
 - **Q:** How can someone know how long he will live to be able to divide his time into thirds? **A:** This means he should split his week into learning these 3 areas.
- The Rishonim were called “sofrim” because they “counted” all the letters in the Torah. They said that the letter “vuv” in the word “Gachon” is the middle of the Torah in letters, the words “darosh darash” are the middle of the Torah in words, and the pasuk of “V’hisgalach” is the middle in pesukim. The letter “ayin” in the “miya’ar” is the middle letter in Tehillim, and the pasuk of “V’hu rachum” is the middle of Tehillim in pesukim.
 - **R' Yosef** asked, is the “vuv” of Gachon part of the first half or the second half? They said to him, why don’t we just bring a Torah and count? He said, we can no longer do that because we are not experts in proper and exact spelling, and therefore cannot count based on what we have written.
 - **R' Yosef** asked, is the pasuk of “V’hisgalach” part of the first half or the second half? **Abaye** said, we can surely count pesukim! **R' Yosef** said we even find uncertainty in whether the way we divide pesukim is correct.
- A Braisa says, there are 5,888 pesukim in the Torah. Tehillim has 8 more than that, and Divrei Hayamim has 8 less than that.
- A Braisa says, the word “v’shinantam” teaches that Torah should be fluent in your mouth, to the point that if someone asks you a question, you shouldn’t even have to fumble and answer, rather you should be able to immediately answer.
 - **R' Chiya bar Abba** learns from a pasuk, that even a father and son, or rebbi and talmid, who learn and argue, will never take leave of each other without loving each other.
- A Braisa says, “v’samtem” teaches that Torah is the perfect and complete medicine (“sam tam”). One can defeat his yetzer harah if he learns Torah. Torah is the antidote to the yetzer harah.
- A Braisa says, we see from a pasuk that the yetzer harah is so evil that even Hashem calls it evil.
 - **R' Yitzchak** said based on a pasuk, the yetzer harah renews itself against a person every day. **R' Shimon ben Levi** said, based on a pasuk, the yetzer harah comes to overpower and kill a person every day, and if Hashem wouldn’t help us against it, we could not defeat it.
 - In the yeshiva of **R' Yishmael** they taught a Braisa that says, if one meets the yetzer harah he should drag it to the Beis Medrash and the Torah will destroy it in whatever form it appears.

L'HASI'OH ISHA

- We learn that a father has an obligation to marry off his son based on the pasuk of “ukchu livneichem nashim v’es benoseichem tinu la’anashim”.
 - **Q:** How can one force someone to marry his daughter (the pasuk says he should marry off his daughter, but that is not in his control)? **A:** This means he should dress her and give her assets so that people will want to marry her.

LILAMDO UMNUS

- **Chizkiya** said this is based on the pasuk “re’ei chayim ihm isha asher ahavta”. Whether this refers to a literal woman or to Torah, we see that the obligation to teach “chayim” (livelihood) is compared to it and therefore an obligation exists.

V'YEISH OMRIM AHF LAHASITO B'NAHAR

- The reason for this is that it may save his life (if he is traveling by boat and the boat sinks).

R' YEHUDA OMER KOL SHE'EINO MELAMDO...

- This means, not teaching him a trade is *as if* he teaches him thievery. The difference between the **T”K and R' Yehuda** is if a father trains his son in business (according to the **T”K** he has fulfilled his obligation, and according to **R' Yehuda** he has not until he teaches a profession or trade).

KOL MITZVOS HA'AV AHL HABEN...

- **Q:** What does this refer to? If it refers to the things that a father has to do for a son, then women would not be chayuv and yet the Mishna says they are! **A:** **R' Yehuda** said, this refers to the things that a son must do for his father, and daughters would be obligated in this as well.

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- The Mishna is a proof to a Braisa, which learns from the pasuk of “ish imo v’aviv tira’u (written in the plural)” to teach that although the pasuk says “a man”, it means that men and women must fear their parents. The reason the pasuk only says “ish” is because a woman is sometimes not able to carry out this obligation, i.e. when she is married and must first see to the needs of her husband, whereas a man is always obligated and cannot be stopped by anybody. **R’ Idi bar Avin in the name of Rav** said, if the daughter is divorced, she would have the same obligation as her brothers.
- A Braisa says, one pasuk says “kabes es avicha v’es imecha” and another says “kabed es Hashem”. The use of the same language creates a comparison between honoring parents and honoring Hashem. A similar drasha is made regarding the pesukim to fear one’s parents and to fear Hashem. A similar drasha is made regarding the pesukim of cursing one’s parents and cursing Hashem. All this makes sense, because Hashem, a father, and a mother, are all partners in creating the child.
- A Braisa says, there are 3 partners in a person – Hashem, the father, and the mother. When a person honors his parents, Hashem says “I consider it as if I live with them and they are honoring Me”.
- A Braisa says, **Rebbi** says, Hashem knew that a person wants to honor his mother more than his father, because she talks nicely to him. Therefore, the pasuk of the honoring obligation lists the father before the mother. Similarly, a person fears his father more than his mother, because he teaches him Torah. Therefore, the pasuk of the obligation to fear them lists the mother before the father.
- A Braisa was taught in front of **R’ Nachman**, when a person causes pain to his parents, Hashem says, I did right by not living with them, because if I would live with them, they would cause Me pain as well!

-----Daf 31-----

- **R’ Yitzhak** darshens a pasuk to teach that one who does an aveirah in hiding is as if he pushes away the “feet” of the Shechina.
 - **R’ Yehoshua ben Levi** darshened a pasuk to teach that a person may not walk 4 amos in a very upright position.
 - **R’ Huna the son of R’ Yehoshua** would not walk 4 amos with his head uncovered. He said “the Shechina is on top of my head!”
- A boy who was orphaned of his father asked **R’ Eliezer**, if my father asks me to bring him some water and my mother asks me to bring her some water, who do I serve first? He told him, your father would come first, because you and your mother are obligated to honor him. This boy then went to **R’ Yehoshua** and asked him the same question, and got the same answer. He asked **R’ Yehoshua**, what if my mother is divorced? **R’ Yehoshua** said, I can tell that you are an orphan. In the case of your question, leave a pitcher of water in between them and walk away (the obligations are equal at that point).
- **Ulla** darshed the pasuk that says that the kings of the world acknowledged Hashem “ki sham’u imrei (plural) picha”. This means, when Hashem said “Anochi” and “Lo yihyeh lecha”, the kings said that Hashem is saying all this for His own honor. However, when Hashem then said “kabed es avicha...”, they retracted their view even regarding the first statements of Hashem.
 - **Rava** darshened this same concept from the pasuk of “rosh divarcha emes”.
- They asked **R’ Ulla**, how far is the extent of the obligation of kibud av v’eim? He said, look at the goy, Dama ben Nesina, who had an offer for a deal that would have profited him 600,000 gold coins, and he turned down the deal, because the key to the merchandise was under the pillow that his father was then sleeping on.
 - **R’ Yehuda in the name of Shmuel** said that **R’ Eliezer** said the deal was that the **Chachomim** came to him to buy a stone for the eiphod. **R’ Kahana** said, the profit would have been 800,000 gold coins.
 - The next year Hashem paid him reward by having a red cow born to his flock. The **Chachomim** went to buy it from him. He told them, I know that no matter what I ask for this, you will give it to me. However, all I will ask for is the profit that I lost due to my honoring of my father.
 - **R’ Chanina** said, if someone who is not even commanded to honor his parents went to such an extreme and received such a reward, then certainly will be the case for one who is commanded to do so, because

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one who is commanded to do a mitzvah and does it, is greater than one who does a mitzvah that he was not commanded to do.

- **R' Yosef** (who was blind) said, initially I said that if someone would tell me that the halacha is like **R' Yehuda**, who says a blind person is patur from doing the mitzvos, I would make a party, because I do the mitzvos even though I'm blind (and that is greater than doing the mitzvos based on an obligation). However, now that **Chanina** has said that one who is commanded to do a mitzvah and does it is greater than one who does it when not commanded, I will make a party if someone tells me that we do *not* pasken like **R' Yehuda**.
- **R' Dimi** said, Dama ben Nesina was once wearing a golden garment while sitting among the Roman aristocrats, and his mother came and ripped his garment, hit him on the head, and spit in front of him, and yet he did not embarrass her.
- **Avimi the son of R' Avahu** taught, a person can serve his father the finest delicacies and be punished for doing so (if he serves him with a sour face and unhappiness), and a person can make his father grind on the millstone, and be rewarded for it (he encourages him, and explains that this is needed at this time for livelihood, etc.).
 - **R' Avahu** said, my son **Avimi** fulfills the mitzvah of kibud av v'eim. **Avimi** had 5 sons of his own who each received semicha. Yet, when **R' Avahu** would come to visit, **Avimi** himself would run to open the door. Once, **R' Avahu** asked him for some water. When he brought the water he found that **R' Avahu** had fallen asleep. He waited there with the water until **R' Avahu** woke up.
- **R' Yaakov bar Avuha** asked **Abaye**, when I come home from Beis Medrash, my father is waiting there with water for me and my mother has already prepared wine for me. Am I to accept this from them? He said, you can accept it from your mother, but not from your father, because he is a talmid chochom and will feel bad if you let him serve you.
- **R' Tarfon** would bend down to let his mother step onto him to then climb into her bed, and to come off her bed. He told people in the Beis Medrash that he acts in this way. They told him, you have not yet reached even half of the mitzvah. Has your mother ever thrown your wallet full of money into the ocean and you not embarrass her for doing so!?
- When **R' Yosef** would hear his mother coming, he would stand up and say, I will stand up for the Shechina, which is coming.
- **R' Yochanan** said (since the mitzvah of kibud av v'eim is almost impossible to fully fulfill), lucky is the one who never saw his parents (and doesn't have the obligation). **R' Yochanan's** father died when his mother was pregnant with him, and his mother died at his birth. The same happened to **Abaye** – although many times **Abaye** quotes things that his “mother told him”, he is actually referring to the woman who raised him.
- **R' Assi** had an elderly mother who had dementia and would ask for unreasonable things. Not being able to properly care for her, he therefore left to EY. He then heard that she was coming to EY. He asked **R' Yochanan** whether he may leave EY (which is normally assur) to go and greet his mother. At first **R' Yochanan** said that he did not know. When **R' Assi** went back to **R' Yochanan**, **R' Yochanan** said, “Go, and may Hashem return you in peace”. **R' Assi** went to **R' Elazar** and asked whether **R' Yochanan** was angry that he was going. He told him, if he was angry he would not have given you a bracha. On his way to greet his mother he found out that it was his mother's coffin that was coming (she had passed away). He said, had I known this was the case, I would not have left EY.
- A Braisa says, one must honor his parents during their life and after their death. During his life, he should honor his father as follows. If he goes someplace that he knows his father is respected, he should ask that he be paid attention to in the honor of his father. After his death, whenever he repeats something from his father, during the first 12 months after the death he should say “this is what my father my master said, may I be a kaparah for him”. After the 12 months he should simply said “zichrono livracha l'chayei ha'olam habah”.
- A Braisa says, a chochom who is giving a shiur must change the name of his father or rebbi if he is quoting them (he can't call them by their regular name). The meturgaman need not do so.
 - **Q:** Whose father are we talking about? If it is the father of the meturgaman, how can it be that he need not change the name and can say his father's name? **A:** **Rava** said, this refers to the name of the father and the rebbi of the chochom.

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- For example, when **Mar bar R' Ashi** said a shiur, and repeated something from his father, he would say “this is what my father, my master, said”. The meturgaman would then announce, “this is what **R' Ashi** said”.

-----Daf בל---32-----

- A Braisa asks, what is the obligation to fear one’s parents and what is the obligation to honor one’s parents? Fearing them is not to sit or stand in their place, and not to contradict what they say or give an opinion if his father has a machlokes in halacha with someone else. Honoring them is to give them to eat and drink, to dress and cover them, and to bring them in and to take them out.
 - **Q:** Whose money does he use to honor his parents? **A: R' Yehuda** says it must come from the son’s money, and **R' Nosson bar Oshaya** says it may come from the father’s money. The **Rabanan** paskened to **R' Yirmiya** (or to his son) that it may come from the father’s money.
 - **Q:** A Braisa says, one pasuk says “kaved es avicha v’es imecha” and another pasuk says “kaved es Hashem meihonecha”, and we learn that just as honoring Hashem may sometimes cost a person money, the same is true for the obligation of honoring parents. This must mean that the money for kibud av v’eim must come from the son!? **A:** The Braisa may mean that the son has to give up work to do the mitzvah, but not that he has to spend money to do so.
 - **Q:** A Braisa says that a son may feed his father with maaser ani. Now, if the son has the obligation to spend money, how can he use maaser ani to fulfil his obligation!? **A:** The Braisa is referring to money used for excess needs.
 - **Q:** If that is true, why did **R' Yehuda** say on the Braisa that one who feeds his father with maaser ani should be cursed? It is only being used for the excess, not the basic needs!? **A:** Still, using maaser ani for a father is considered to be a disgrace.
 - **Q: R' Eliezer** says in a Braisa, that the extent of kibud av v’eim is for a parent to take a wallet full of money, to throw it into the sea, and for the son not to get upset. This must refer to the son’s money, or else why would he get upset? **A:** It is the parents’ money, and the son would get upset because he stands to inherit the money. As we find that **R' Huna** once tore fancy clothing in front of his son **Rabbah**, to see if he would get angry.
 - **Q:** If he would have gotten angry at his father, **R' Huna** would have been oiver on the lav of “lifnei iver lo sitein michshol”!? **A: R' Huna** was mochel for the honor that was due him.
 - **Q:** He was oiver “baal tashchis” by ripping the clothing!? **A:** He ripped it on the seam, but he did so when **Rabbah** was angry so he would not notice that it was being ripped on the seam.
 - After hearing **R' Yehuda** correct his father **R' Yechezkel** by telling him that he had the wrong version of a Braisa, **Shmuel** said to him, you are not supposed to correct a father like that. As a Braisa says, if a person sees his father being oiver on something in the Torah, he should mention the pasuk that teaches the issur, and should not correct him directly.
 - **Elazar ben Masya** said, if my father asks me for water and I have another mitzvah to do, I will do the other mitzvah first, because both me and my father are obligated to do the mitzvah. **Isi ben Yehuda** says, if there is someone else to do the other mitzvah, he should have the other person do it, and he should go and serve his father.
 - **R' Masna** paskened like **Isi ben Yehuda**.
 - **R' Yitzchak bar Shila in the name of R' Masna in the name of R' Chisda** said, if a father is mochel on the honor due to him, it is an effective mechila. However, if a rebbi is mochel on his honor, it is not effective. **R' Yosef** says that even a rebbi’s mechila is effective, as we see that Hashem went in front of the Yidden. **Rava** said, Hashem is different – it is His world, His Torah, and therefore He can be mochel on His honor. However, the Torah is not the rebbi’s, and therefore he cannot be mochel. **Rava** later said, the Torah does belong to the rebbi, as the pasuk says “uvisoraso yehigeh yomam v’luyla”.

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- **Q:** We find that when **Rava** was serving drinks at his son's wedding (and in that way was mochel on his honor) he was upset when some of the **Rabanan** did not stand up for him (we see that he holds that his mechila was not effective)!? A similar story took place with **R' Pappa** when he was serving drinks!? **A:** Although the mechila was effective, they still felt that honor should have been given to them anyway.
- **R' Ashi** said, even according to the view that a rebbi could be mochel on his honor, a nasi could not effectively be mochel his honor.
 - **Q:** A Braisa says that **R' Gamliel** (who was the nasi) served drinks at his son's wedding (so we see that a nasi could be mochel on his honor)!? **A:** It must be that this is what **R' Ashi** said – even according to the view that a nasi who is mochel on his honor can do so effectively, a king who is mochel on his honor could not do so effectively, because of the pasuk of “som tasim alecha melech”, which teaches that the king's fear must be on you always.
- A Braisa says, the pasuk says “mipnei seiva takum”. We would think this includes an old man who is a rasha as well. The pasuk therefore says “zakein”, which refers to a talmid chachom, as the pasuk says “esfah li shivim ish miziknei Yisrael”. **R' Yose Haglili** says, the word “zaken” is a contraction of “zeh kanah chachma” and refers to a talmid chochom. We would think that we must stand up for this “zakein” even when he is far away. The pasuk therefore says “takum v'hadarta”, to teach that one only need to stand up if it will bring honor to the zakein (if he is nearby). We would think the obligation is to honor him with money, the pasuk therefore teaches “takum v'hadarta”, that just as standing up doesn't cost money, so too the entire obligation need not cost money. We would think one must even stand up for him in a bathroom or bathhouse. The pasuk therefore teaches “takum v'hadarta”, that one only need to stand up in a place where doing so will bring him honor. We would think you can make believe that you don't see the zakein. The pasuk therefore teaches “takum...v'yareisa”, to teach that Hashem knows what you saw and what is in your heart. **R' Shimon ben Elazar** says, the pasuk of “zakein v'yareisa” teaches that the zakein should not trouble people to stand for him (he should take a route that won't cause people to have to stand for him). **Isi ben Yehuda** says, “mipnei seiva takum” teaches to include every type of old person.
 - **Q:** **R' Yose Haglili** is saying the same thing as the **T”K**? **A:** The difference would be if one must stand for a young chochom. The **T”K** would say he does not need to stand for such a chochom, and **R' Yose Haglili** says that he does need to do so. **R' Yose Haglili** says, if the **T”K** was right, the pasuk should have said “mipnei seiva zakein takum”. Instead the Torah separates “seiva” and “zakein” to teach that one must stand for an elder even if not a chochom, and for a chochom even if not an elder. The **T”K** says the reason zakein was written later in the pasuk is so that it should be closer to the word “v'yareisa” (for the drasha taught later in the Braisa). The **T”K** says, if **R' Yose Haglili** is right, the pasuk should write the words “takum v'hadarta” for an elder and then again for the chochom. Since it combines this by writing it once, it teaches that the person must be an elder and a chochom.

-----Daf ל'-----33-----

- The Braisa quoted earlier said, we would think one must honor an elder even if it costs him money to do so. The pasuk therefore says “takum v'hadarta” to teach that just as standing up for him doesn't cost money, the same is for honoring him.
 - **Q:** Standing up could cost money if he is in middle of working!? **A:** We compare standing up to honoring him in that just as honoring is done without having to stop working, so too standing up is only done if he need not stop working. We can then say, that just as standing doesn't cost money, so too the requirement to honor him does not require him to spend money.
 - From here it was said that people who are working are not obligated to stand for talmidei chachomim.
 - **Q:** We find that people who are working must stop to stand for the people bringing the bikkurim!? **A:** **R' Yochanan** said, they must stand for the people bringing the bikkurim, but not for talmidei chachomim. **R' Yose bar Avin** explains, look how beloved a mitzvah is when it is being done, to the point that people stand for the people bringing the bikkurim, but not for talmidei chachomim.

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- The Gemara says, this is no proof, because it may be that we require people to stand for them so that people should always want to bring bikkurim.
- The Braisa said, we would think that we must stand for them even in the bathhouse, but the pasuk teaches otherwise.
 - **Q:** We find that **R' Shimon bar Rebbi** was upset when **R' Chiya** and when **Bar Kappara** didn't stand up for him in the bathhouse!? **A:** These stories are discussing the outside room of the bathhouse (where everyone is dressed) and the Braisa is discussing the inner room, where people are undressed.
- The Braisa said, the pasuk teaches that one should not make believe that he doesn't see the elder and therefore doesn't stand up.
 - **Q:** Are we discussing resha'im!? **A:** The Braisa means, we would think that one can close his eyes before the elder gets close enough and therefore he truly doesn't see when he has a requirement to stand up. The pasuk therefore teaches that one may not do that.
 - A Braisa says, standing that brings to an honor is when the person is within 4 amos of the elder. **Abaye** said, that is true if the talmid chochom is not your primary rebbi. If he is, one must stand up as soon as he comes into eyesight. In fact, **Abaye** would stand as soon as he saw the ear of **R' Yosef's** donkey coming.
 - **Abaye** was riding a donkey on one side of the river and **R' Mesharshiya and the Rabanan** were sitting on the other side of the river, and they did not get up for him. He asked them, am I not your primary rebbi!? They told him, we did not realize you were there, because we were learning.
- The Braisa said, that the pasuk teaches that the zakein should take a route that will not require people to stand up for him.
 - **Abaye** said, if a zakein takes a route that avoids making people stand for him, he merits long life. **Abaye** would do so, and **R' Zeira** would do so as well.
 - **Ravina** was sitting in front of **R' Yirmiya Midifti** and a man passed by without covering his head. **Ravina** said, this person has chutzpah for not covering his head in front of us. **R' Yirmiya** said, he may be from Mata Mechasya, where it is common to see rabanim, and they therefore don't have the sense of respect.
- The Braisa said that **Isi ben Yehuda** said the pasuk teaches that we must stand up for any elder, even if he is not a talmid chachom.
 - **R' Yochanan** paskened like **Isi ben Yehuda**.
 - **R' Yochanan** would stand up for elder goyim. He said these people have experienced so much and seen miracles. **Rava** wouldn't stand up, but he would show them some honor. **Abaye** would offer them his hand to lean on. **Rava** would send a shliach to offer them a hand. **R' Nachman** would have his officers offer them a hand, because he said that doing so himself would not be proper respect for the Torah.
 - **R' Eivo in the name of R' Yanai** said, a talmid chochom may only stand for his rebbi once in the morning and once in the evening, so that he does not honor his rebbi more than he honors Hashem (he only davens twice a day by obligation).
 - **Q:** The Braisa earlier learned from a pasuk that a zakein should take a route that will not cause people to have to get up for him. Now, if they must only stand in the morning and evening, he should make them stand then since it is obligatory. Rather we must say that they would have to stand all day long!? **A:** It may be that they only have to stand at those two times. Still, he should try to not even make them stand then.
 - **R' Elazar** said, any talmid chochom who doesn't stand for his rebbi is called a rasha, will not live long, and will forget his learning.
- **Q:** If a son is his father's rebbi, may the son stand for his father? **A:** We find that **Shmuel** told **R' Yehuda** to stand for his father **R' Yechezkel** even though he was his father's rebbi.
 - It may be that **R' Yechezkel** is treated differently because he did a lot of good deeds, as we find that **Shmuel** himself even stood up for him. What **Shmuel** meant to tell **R' Yehuda** was that if your father

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walks into the room when I am sitting there and I don't see him, you should stand up anyway and don't be concerned for my honor.

- **Q:** If a son is his father's rebbi, may the father stand for his son? **A:** We find that **R' Yehoshua ben Levi** said that it is not befitting for him to stand for his son but he did so because his son married into the family of the Nasi. Now, this suggests that he felt it was not befitting for him because he was his son's rebbi. However, had it been the other way around, he would have felt it proper to stand for his son!
 - It may be that he was saying it is never proper for me to stand for my son (even if my son was my rebbi) because I am the father. The only reason I stand for my son is because he belongs to the family of the Nasi.
- **Q:** If a person is riding on an animal, is he considered as if he is walking or not (if the rebbi is riding is it as if the rebbi is walking and one must stand for him, or not)? **A:** **Abaye** said, a Braisa says regarding the tumah of tzaraas that riding is treated as if the person was walking. **SHEMA MINAH.**
- **Q:** What is the halacha with regard to standing for a sefer Torah? **A:** **R' Chilkiya, R' Simon, and R' Elazar** say, we can make a kal v'chomer – if we stand for those who learn Torah, then we must surely stand for the Torah itself!
- **R' Illai and R' Yaakov bar Zavdi** were sitting and learning, and they stood up as **R' Shimon bar Abba** walked by. **R' Shimon bar Abba** said to them, you should not have gotten up for two reasons – one, you are chachomim and I am only a chaver, and two, should Torah stand for those who learn it (you are learning now and are therefore Torah itself).
 - **R' Shimon** must hold like **R' Elazar** who says that a talmid chochom who is learning may not even stand for his rebbi. **Abaye** did not agree with this ruling of **R' Elazar**.
- The pasuk says "v'hibitu acharei Moshe and bo'oh ha'ohela". **R' Ami and R' Yitzchak Nafcha** argue – one says this was done in a disgraceful way (the people would look at Moshe and accuse him of having taken money from the tzibbur), and the other says this was done in a praiseworthy way, meaning that they stood up as soon as he was within eyesight, and did not sit down until Moshe was himself seated in his place.