

## Daily Thoughts on the Fourteenth *Daf Yomi* Cycle

Written *ex post facto* on Sunday, January 05, 2020:

I engaged our Congregational worship assemblage Friday night in shared text study, in lieu of a sermon, as a celebratory observance of Saturday (שבת ויגש - ז' בטבת תש"ף) being the world-wide סייום of the 13th יומי דף cycle. My assertion to them was that the Page-a-day Talmud Cycle promulgated by 'Agudat YisraEil in 1923 is much better than the Boston Marathon, because there's no rule-book to say you had to have run the whole course in order to be in on the party at the finish line.



In those terms, the occasion was on its own numerous merits a gratifyingly uplifting “שההיינ” moment, in which my בעלי בתים expressed pride to be taking part (notwithstanding the admittedly less than inspiring subject matter in the final ‘graph of נידה).

On the other hand, I privately wondered *vis-à-vis* all those Chinese would-be billionaires who in recent years have been clamoring to study Talmud: perusing the final page of the Gemara, what esoteric Jewish money-making secrets did they derive from Rav Abba's construction of the purely chronological distinction between זבה and נידה?

=====

**B'rachot 2a** - January 05, 2020

מאימתי קורין את שמע בערבית משעה שהכהנים נכנסים לאכל בתרומתן

From what time do we recite *Sh'ma* at Evening Worship? From the time the Aaronide priests go home to eat their *t'rumah*.

My teacher, the Talmudist Ben Zion Wacholder, delivered as the 1978 Louis Caplan Lecture on Jewish Law at the Hebrew Union College in Cincinnati a presentation entitled “Messianism and Mishnah: Time and Place in the Early *Halachah*.” It was his premise that the centuries of rabbinic thought redacted by יהודה הנשיא was intended as “a handbook for the Messiah,” and as “an instrument to preserve the presence of the שכינה of the days of David and Solomon as a model for the Messianic future.” Specifically, he proposed that Mishnaic descriptions of בית המקדש constitute not a record of what was done in the Second Temple so much as an idealized reconstruction of what was done in the First Temple of antiquity, as an extrapolated outline of what will be done in the Third Temple of the Messianic future.

As such, Wacholder points out, defining the proper time for *Ma'ariv* in terms of the כהנים going home to eat their share of that day's sacrificial offerings

could not have been composed to serve as a guide for then current practice, for neither in the days of Rabbi Eli'Ezer nor at the time of the redaction was there a Temple in existence. The passage as a whole makes sense only as a reference to the period of the Messiah, when the priests would again, as in the days of the First Temple, observe the laws of ecclesiastical purity to the utmost.

Our opening today of a new יומי דף study cycle—the 14th such since the practice was established by the Lubliner Rabbi almost a century ago—represents the first page of 2,710 more to follow. As such,

our shared endeavor of intellectual engagement points ahead by definition to a redemptive future filled with meaning. . . but then, says Rabbi Wacholder, so does the ש"ס itself.

---

**B'rachot 3b** - January 06, 2020

הכי קאמר מעולם לא עבר עלי חצות לילה בשינה

Thus declared [King David]: Midnight never passed by with me still asleep.

רבי זירא אמר עד חצות לילה היה מתנמנם כסוס מכאן ואילך היה מתגבר כארי

Rav Zeira says until midnight he used to doze like a horse, from thence on he would strengthen himself like a lion.

Numerous Medieval writings speak of “first sleep” and “second sleep.” It appears that for most of human history people slept in instalments: dozing off after supper for a few hours before rising around midnight for another period of activity (working; studying; praying; making love; conversing with other family members in-house; or even stepping out to visit neighbors), and then returning to bed for a few more hours of sleep before rising for the day at dawn.

That pattern of behavior was effectively effaced when the Industrial Revolution standardized and regulated all human activities, so that we not only sleep but eat and work by the clock. However, modern sleep studies indicate that— regardless of the pressures and expectations of modernity— the underlying impulse for sleeping “on the instalment plan,” in distinct stages throughout the nighttime hours, may in fact be hard-wired in the human mind. As a result, most mental-health professionals today assure patients disturbed by an inclination to wakefulness and partial activity after sleeping for a while that, to the contrary of being a pathological disorder, this represents healthy and normal human behavior.

I myself am often up and writing at 1:30 a.m., although I will admit that in rising to the occasion (pun intended) at that hour there is less an inclination to emulate King David (as Rabbi Zeira describes him) by “strengthening myself like a lion” than to plod a little crookedly down the hall until the coolness of the floor tiles on my bare feet wakes me up all the way. Nonetheless I affirm that both my studying and writing, and King David’s Psalm-singing, feels somehow like a better use of the midnight sleep hiatus than, say, binge-watching Netflix.

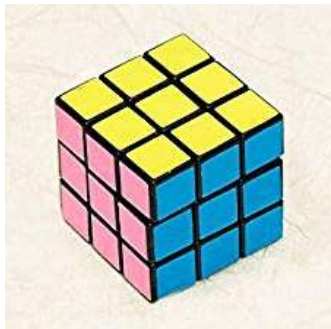
---

**B'rachot 4b** - January 07, 2020

אמר רבי יוחנן מפני מה לא נאמר נו"ן באשרי

Rabbi YoChanan says: Why is there no *nun* in *Ashrei*?

I once built a model, using a recycled Rubik’s Cube, to answer this question based on a correspondence between the 27 constituent cubelets of this toy and the 27 letters in the Hebrew *alef-bet*: 22 characters, plus five סופיות terminal forms.



Our rabbinical tradition regards the סופיות as separate entities from the normal configuration of those same five corresponding letters. Not only are they listed together sequentially after ק-ר-ש-ת (as opposed to immediately following their respective “parent” character, the way we were taught to recognize and associate them when learning the *alef-bet*), but, as a corollary to this they are assigned their own distinct numerical value in גמטריה (under the system known as מספר גדול). In those terms, the three tiers of nine blocks comprising a Rubik’s Cube would be labeled with the 27 sequential characters of the Hebrew alphabet in this manner:

<u>Front outside tier:</u>	top – א - ב - ג - ד;	middle – ה - ו - ז;	bottom – ח - ט - י;
<u>Middle tier:</u>	top – י - כ - ל - מ;	middle – נ - ס - ע;	bottom – פ - צ - ק;
<u>Back outside tier:</u>	top – ק - ר - ש - ת;	middle – י - ח - ט;	bottom – י - נ - ט.

Turn this three-dimensional model any way you will, and you will still be able to locate and view every letter of the *alef-bet* except one: the *nun* in the middle position of the middle tier, lying concealed at the heart of the block by all the other characters around it.

An anachronistic model, to be true, since the Rubik’s Cube was not around in the Tannaitic era, neither had *סופיות* yet been invented when King David wrote Psalm 145. But I like to invoke it, nonetheless, as an uplifting answer to the structural question Rabbi YoChanan poses. Because the missing *nun* of *Ashrei* speaks of the inner significance of praying, which is all too easily concealed by the sheer volume of letters and words of which our prayer service is comprised. The missing *nun* in *Ashrei* is a summons for each of us to be a miner, laboring to bring not-quite-hidden significance out into light.

The missing *nun* in *Ashrei* constitutes God’s archetypal summons to our personal personal involvement. Because whether we are talking about a social-justice initiative; an intellectual engagement with text; or the spiritual challenge of turning routine worship into truly meaningful devotion, there is always going to be one missing piece... a deficiency that each of us must supply by bringing something of ourselves from within.

---

**B’rachot 5a** - January 08, 2020

The take of Reish Laqish on Exodus 24:12 is significant. He decodes that verse as a reference to the entire body of sacred literature constituting *תורה למשה מסני*:

- “commandment” *המצוה* = Mishnah;
- “which I have written” *אשר כתבתי* = נ”ך (the Prophets and Writings);
- “to teach to them” *להורתם* = Gemara.

The sequence of those correlations is significant. While positioning *ששה סדרי משנה* immediately after Torah does subordinate Oral Torah to the *תורה שבכתב*, at the time doing so creates at one and the same time a correlation and a hierarchy that makes the core document of rabbinic law literally *משנה* “secondary” to the Torah itself. Doing that elevates Oral Torah to all-but Scriptural standing, a detail confirmed by their listing the Mishnah prior to *נביאים וכתובים*. The intimation of that sequence is that, whereas *תורה שבעל פה* is *תורה ממש*, the non-binding extra-legal portions of Scripture itself are by comparison mere literature.

Perhaps equally significant is his identification of *להורתם* as the Gemara. This verbal term is a linguistic *שוא גזירה* that asserts an equivalency: as the Paul Harvey-esque “rest of the story” on *משנה* (which, as Reish Laqish already established, equals *תורה*), the Gemara by association becomes Torah, as well.

Even more subtle is the intimation of that coded identification within the context of the Exodus verse itself. If *להורתם* = *גמרא*, then Rav Shim’on’s reading of Exodus 24:12 is “which I have written as Gemara.” The emphasis here focuses on the verb *כתבתי*, with the intimation not only that he strongly approved of the formerly “Oral Torah” having been committed to writing a generation before his time, but that he endorsed doing the same to capture the growing body of associated literature already being generated by the *אמוראים* in both *ארץ ישראל* and Bavel.

Reish Laqish may in the sinful days of his youth have been a brigand and a highwayman, but having (under the influence of his brother-in-law and colleague YoChanan bar-Napacha) become one of the

fiercest scholars of his time, he understood that in a Judean society scattering abroad into a global dispersal it would no longer be possible to keep all the finest rabbinic minds of the generation together in one place. There certainly existed the risk that committing The Law to written form would make it accessible to any literate Jew with the ability to understand it, and not just to the greatest minds worthy of studying it; but as a long-term strategy for Jewish survival that was preferable to keeping it semi-private in the Galilean Academy as the sole property of the 71 greatest minds of the age. Besides, if תורה שבעל פה is in fact accepted as being תורה ממש, then like the actual Five Books of the Torah it must be universally accessible as what Deuteronomy 33:4 calls מורֶשֶׁה קהֶלֶת יִצְקֹב “the legacy of the entire assemblage of Israel.”

---

## B'rachot 5a - January 08, 2020

I find the rabbis' approach to מזיקין demons to be not only fascinating, but compellingly important. As the only ethical monotheists in an otherwise completely idolatrous polytheistic pagan world, the *amora'im* had an uphill battle trying to get their constituency to desist from beliefs and practices redolent of the majority host culture. (How successful are rabbis today in dissuading Jews who like to have a seasonally decorated tree in their living room every December “because it’s pretty and smells nice,” and who insist “it doesn’t really have any religious significance”? Consider, in terms of this particular index of acculturation, that most North American Jews have been here only three or four generations; Babylonian Jewry had in some cases been there nine centuries).

So if our sages couldn't make Jews stop believing in the hierarchy of demons and other malevolent spirits that are such a central part of the Babylonian religious imagination, they adopted the “if you can't beat 'em, vector them” approach. Our present *daf* captures a sort of creation-myth asserting that we are surrounded by hosts of invisible creatures which the קב"ה had intended to be even superior to human beings formed

בצלם אלהים— except that the Creator had to knock off for the weekend at the conclusion of יום הששי, leaving that one last project unfinished on the cosmic Workbench.

The implicit theological assertion is that these potentially powerful entities are souls without bodies. And there are three things about that which are marvelous.

- It literally defangs the threat of the malevolent creatures that are supposedly all around us. Because if they lack any physical substance or bodily form (so that you can't see them, and they can't harm you), what are you afraid of?

- It highlights the sanctity and importance of all the physical gratifications available to us, since we do have bodies. The challenge of physical labor; the gratification of rest afterwards; the savor of food; the pleasure of physical intimacy; the corollary pleasure of holding the progeny that result— all these are sacred occasions to rejoice in, which these poor half-made and disembodied creatures are denied.

- The underlying nuance— *viz.* that they **are** poor creatures, motivated not by enmity but by wistful envy, and as a result are deserving not of our fear but our pity— is a compelling (and characteristically Jewish) ethical lesson about how we treat each other.

Asmodeus presents his demon hordes to Solomon, to assist in building the Jerusalem Temple



German woodcut, 1473

**B'rachot 6a** - January 09, 2020

Rav Huna's mention of each of us being surrounded by hordes of invisible malevolent beings—

אלפא משמאליה ורבבתא מימיניה

a thousand at his left, and ten thousand at his right—

serves to define the very powerlessness of that host of מזיקים to harm us. That is because it constitutes both an allusion to and an invocation of this verse:

יִפֹּל מִצְדָּךְ אֶלֶף וּרְבֵבָה מִיְמִינְךָ אֲלֵיךָ לֹא יִגַּשׁ

A thousand shall fall at your [left] side, and ten thousand at your right; they shall not touch you [Psalm 91:6].

Not at all incidentally, ever since the Talmudic era that Psalm (as well as Psalm 121) has been invoked in Jewish magic and folk-religion as potent protection against malevolent spirits and demonic attack. Because whether or not there in fact are malevolent spirits and attacking demons, by virtue of being God's creations even as we are, they like us are subject to God's Will and respond to God's Word in Scripture.

---

**B'rachot 6b** - January 09, 2020

פניו משתנות ככרום. . . מאי כרום

His face changed like a *k'rum*. . . What is the *k'rum*?

כי אתא רב דימי אמר עוף אחד יש בכרכי הים וכרום שמו וכיון שחמה זורחת מתהפך לכמה גוונים

When Rav Dimi arrived, he said “there is a bird in coastal regions, called the *k'rum* [“the green-painted one”]; when the sun shines on it, it is changed to multi-colors.

It is worthy of note that the bird כרום *k'rum* is referenced by ארץ-ישראל such as Rabbis YoChanan and El'Azar, but unfamiliar to the members of the Babylonian academies until the itinerant scholar Rav Dimi arrives from “the West” to explain it to them.

Although Paul McCartney's “blackbird singing in the dead of night” may indeed appear black by star- and moonlight, and in the dim grey before dawn, once the sun comes up the European Starling shimmers in iridescent purple and blue and green. In terms of that colorful gleam, it is tempting to associate the classical Hebrew name for this bird זרזיר with the Arabic verb زير *zarir* signifying “the glistening of an eye.” But in fact the Hebrew זרזיר and its Arabic cognate زرزور *zurzur* are based on a root זר-ז “attacking fast and powerfully.” In view of this, note that in rabbinical Hebrew the same noun זרזיר denotes both “starling” and “gladiator,” while in 20<sup>th</sup>-century Israeli idiom זרזיר עט (“pen attacker”) is a muck-raking tabloid journalist. Such linguistic associations point to the aggressive behavior of this audacious bird species: in our own era the seasonal migration of European starlings is alike a significant threat to public health, a costly nuisance to agriculture, and a deadly menace to aviation.



What matters for our present purposes is that the migratory flyways of the European starling pass through Israel and Syria, and in modernity even as far afield as northern Iraq— but not into the southern part of the latter country, the Sassanid province of Asuristan that we are calling **בבל** “Babylon.” Since as a result the sages in Sura and Pumpedita can be presumed never to have seen a starling, it is up to a נחזתא such as Rav Dimi to identify, and to clarify the nature of, a bird which is familiar to him but unknown in their part of the world.

**B'rachot 7a** - January 10, 2020

וְהִסַּרְתִּי אֶת-כַּפִּי וְרָאִיתָ אֶת-אָחָרַי וּפְנֵי לֹא יֵרָאוּ

Then I will remove My hand, and you will see My back, but My Face may not be seen”  
[Exodus 33:23].

I always associate this פסוק with Elie Wiesel, who cited it in pondering the ultimate modern question of theodicy. He asked rhetorically: if God has a Back (כביכול), then were God to turn God's back on humanity for a moment, how long is God's “moment”? In the vast cosmic scope of time, at least from the perspective of the One of Whom the Psalmist says

כִּי אֶלֶף שָׁנִים בְּעֵינֶיךָ כַּיּוֹם אֶתְמוּל כִּי יַעֲבֹר וְאַשְׁמוּרָה בְּלַיְלָה

that a thousand years in Your Sight are but as yesterday when it is past, or as a watch in the night [Psalm 90:4],

Wiesel proposed that perhaps the Nazi kingdom of death 1935-45 represented that inattentive “moment” that God's Back was turned.

That dark and disturbing prospect—the nihilistic suspension of השגחה and a more-than-implied limit to Divine Omniscience—is refuted by our present passage. That is because B'rachot 7a establishes that, for the One Who created time (by saying ויהי אור ויהי אור), “a moment” is precisely that:

וְכַמָּה זְעֵמוּ רִגְעוֹ וְכַמָּה רִגְעוֹ אָמַר רַבִּי אַבִּין וְאִיתִימָא רַבִּי אַבִּינָא רִגְעוֹ כַּמִּמְרִיָּה

And how long does His anger last? God's anger lasts a moment. And how long is “a moment”? Rabbi Avin (although there are some who maintain it was in fact Rabbi Avina), said: “A moment” lasts as long as it takes to say “*rega*” [i.e., “a moment”].

**B'rachot 8a** - January 11, 2020

וְאֲנִי תְפִלְתִּי-לְךָ יְהִנֶּה עֵת רְצוֹן –

“May my prayer come before You at a time of favor” [Psalm 69:14].

אִמְתִּי עֵת רְצוֹן בְּשַׁעַה שֶׁהַצְּבוּר מִתְפַּלְלִין

When is the “time of favor”? That time when the congregation is praying.

I see this focus on הצבור “the congregation” as a central component in Jewish religious life. The reality is that throughout rabbinic literature we in fact see plenty of anecdotal cases of direct response from On High to individuals' petitionary pleas. For that reason our present emphasis instead on the indispensability of worshipping with a quorum is less a theological doctrine than an earnest promotion of individual participation in communal life, as the engine driving the continuity and corporate welfare of a dispersed Jewish people.

In the process, it also serves as a repudiation of our modern narcissistic obsession with “My Personal Spirituality.” That is because:

- firstly, the רוחניות of Judaism emerges, between the lines, in everything we do;
- secondly, Jewish life is constitutionally corporate, communal, collective, and as such is always by definition about the first-person-plural totality of אנחנו (rather than any one individual “I” alone);
- and while worship may in fact constitute prayerful devotion— when we do it right, with the true ownership of what חז”ל call כוונה— it is first and foremost עבודת קודש “sacred service”: a duty-bound appearance at court, in the Presence of המלכים מלך מלכי המלכים, by every faithful vassal holding a Sinaitic patent of nobility.

In the Podolian market-town of Ternovka, where Grandpa Gross was born, the shopkeepers prayed alone at home for שחרית and מעריב on weekdays, because of the crazy hours they had to work for

פרנסה... but as many as could step away from their shops made a point of stopping by the side-chapel of the Great Synagogue in the town square for mid-afternoon מנחה, to help substantiate a prayer quorum in support of “*Qaddish*-sayers,” and the whole town turned up for Shabbat and יום-טובים. A starkly shining case יציאה בידי חובה and of קיום הברית.

With that said, the *p'shat* of the Talmud text does not in fact literally mention worshipping with a *minyan*. It does not talk about *davvening* הצבור בפני or בתוך הצבור, but rather deals with a more abstract alignment that is chronological rather than spatial: בשעה שהצבור מתפללין.

That admittedly open-ended construct is nonetheless very much conducive of group identity. It constitutes a time-based counterpart to the same kind of conceptual solidarity spoken of in Mishnah B'rachot 4:5:

אם אינו יכול לירד יחזיר את פניו

If one [who is riding along on a donkey or camel at the moment of prayer] is unable to dismount, let him turn his face [towards Jerusalem];

ואם אינו יכול להחזיר את פניו יכון את לבו כנגד בית קודש הקדשים

and if one is unable physically to turn, then let him direct his heart toward the site of the Holy of Holies.

In view of that consideration, given the availability today of electronic communications media promoting networking and virtual-community building, there were some members of our study group who regarded this passage as an אסמכתא substantiating the permissibility not just of live-streaming worship service, but even of counting remote worship participants logged on as constituents of the *minyan*. While that is admittedly a stretch, such a creative construction of the Talmudic text suggests that modern rabbis continue to be inspired by the efforts of our sages of antiquity to keep a far-flung population of Jews connected to their tradition, their faith, and their community.

#### B'rachot 9a - January 12, 2020

אמר כדאי הוא רבי שמעון לסמוך עליו בשעת הדחק

[Rabbi Yehoshua ben Levi] said: Rabbi Shimon can be relied upon in exigent circumstances.

This bears anecdotal witness to four distinct levels of rabbinical ordination, expanding the usual three defined in Sanhedrin 5a:

יורה יורה *yoreh-yoreh*;

ידין ידין *yadin-yadin*;

יתיר בכורות *yatir b'chorot*;

and “He’ll do, in a pinch.”



#### B'rachot 10a - January 13, 2020

הוה קא בעי רבי מאיר רחמי עלויהו כי היכי דלימותו

Rabbi Mei'ir used to request compassion on them, that thereby they would die.

I am interested in the turn of phrase describing Rabbi Mei'ir's petition regarding the brigands harrying his neighborhood. Although the text clarifies the deadly intent of his prayer (כי היכי דלימותו), the

petition he makes to that effect paradoxically speaks of his requesting God to have compassion on them (בעי רחמי עלויהו).

That is the same kind of circumlocution we saw on 4b, when Rabbi YoChanan back-pedaled on the prospect of something bad happening to the Jewish people by invoking a turn-around euphemism: בלי “the downfall of the enemies of Israel.” We see a similarly periphrastic “עייך הרע” consciousness throughout Jewish spiritual tradition (as e.g. the incident in B’rachot 19a which declares “ברכוהו” to describe the excommunication of Rabbi Eli’Ezer ben-Hurkinos, or the convention whereby my edition of שולחן ערוך labels page 244 as שמ"ד instead of ש"ד). In general such roundabout usages reflect a finely honed consciousness about not wanting even to mention—and thereby, however symbolically, to open the door to the prospect of— bad things happening.

In our present episode with the otherwise great Rabbi Mei’ir, by contrast, the use of the euphemism serves to highlight how completely petty, vindictive, and morally inappropriate his prayer truly is. In the process, it paves the way for the continuation of the anecdote, in which the brilliant and compassionate B’rurYah rebukes him by making precisely that point.

For what it’s worth, I’m particularly attuned to such issues of נקי לשון in civil discourse, since as a Southerner I live in a part of the world where they say “Bless your heart” instead of “drop dead.”

---

**B’rachot 11a** - January 14, 2020

### הכונס את הבתולה פטור ואת האלמנה חייב

One who engages in intimate connection with a maiden [for the first time on the wedding night] is exempt [that evening from שמע], while one who marries [a divorcee or] a widow is obligated.

Of the instrumental means of implementing marriage that are outlined in Mishnah Qiddushin 1:1, the third and last of them, ביאה (consummation), is purely in practical terms the most likely to represent a distraction from the ardent groom’s availability to *daven Ma’ariv* (or, as our *sugya* puts it לאמר (שמע בערבית). As for the bride who has never been married before, lacking the prior sexual experience of the אלמנה / ארמלתא mentioned—and, by extension, of the גרושה / מתרכתא— there is very likely to be for her a distinct potential for trepidation as well as anticipation, and of a measure of dread together with desire.

The דין here, exempting the groom from *davvening* for one night in order to attend to the emotional as well as physical well-being of his new bride, is therefore a profound example of psychological insight on the part of חז"ל. This legislation, which gives personal intimacy primacy over Holy Covenant duty, and which makes reassurance to a shy maiden a priority over expressing loyalty to the Creator, emphasizes the importance of caring as a foundation for relationship-building.

The same sense of balance and context beyond *prima nocta* is conveyed in the Hasidic פיתגם: “better to be with your wife, and thinking about God, than to be with God, and thinking about your wife.”

---

**B’rachot 12a/12b** - January 15, 2020

### אף בגבולין בקשו לקרות כן אלא שכבר בטלום מפני תרעומת המינין

Throughout the rest of the land they wanted to recite the same [*viz.* incorporate עשרת הדברות as part of the liturgy], but they were prevented on account of the insinuations of the sectarians.

אלא דעת מינים. . מנלן דתניא אַחַרִי לְבַבְכֶם זו מינות



Where do we find [in פרשת הציצית from Numbers 15 any mention of] the doctrine of the sectarians. . .? From a *baraita*, in which it was taught that the phrase “after your own heart [Numbers 15:39] is a reference to sectarian heresy.

Up to this point, we would have presumed that the Tannaitic conversation on these pages regarding defining the liturgy was motivated by one or more of several interconnected impulses:

- a) in the abstract, to record for posterity the “אין בין אלא” distinctions between the respective rituals of the synagogue and the Jerusalem Temple while the latter institution was still in existence;
- b) more practically speaking, to establish, with the Temple gone, which of its ritual practices could properly be emulated in communal worship, since the בית הכנסת (as “מקדש מאט”) would perforce serve for the indeterminate future as the surrogate for The National Shrine;
- c) and to standardize the liturgy—the same way they closed the Canon—as part of the tool-kit lending institutional unity to a Jewish population that was already melting away into global dispersal. By the start of the 2<sup>nd</sup> century there were pockets of Jews throughout the Old World, from England to China, and having the same סידור and תנ”ך made for a centripetal force tying together these far-flung communities scattered to the ends of the earth.

However, this passage points to a fourth compelling motivation: the need to draw the line of Jewish authenticity in the face of what the text calls מִיָּנוּת “sectarian heresy.”

There are numerous intimations throughout the Mishnah text that דעת מינים “the doctrine of sectarians” was an erosive influence on the integrity of Jewish communal life even while the Temple was still standing. The same, of course, holds true in our own time. Our constituencies today are actively targeted and drawn in not just by Christian missionaries exploiting their lack of religious knowledge, but also by outreach recruiters for:

- other religions (most notably Buddhism and Hinduism);
- semi-religious philosophies (such as Tantrism, New Age, and neo-paganism);
- and secular cults (EST, “the contact movement,” Scientology, *etc.*),

all of whom insist to our people that “you can be a [fill-in-the-blank] and Jewish too!” The most invidious challenge comes from “Messianic synagogues,” which have proliferated over the past generation in direct proportion to the increase in intermarriage and the diminishing number of religiously educated Jews involved in our communal institutions.

The allusions to this problem in B’rachot 12a/12b *et. al.* suggests that חז”ל had their work cut out for them in their time, just as we do in ours. Because when it comes not just to building community, but to maintaining the integrity of the community in question, the organizational mission statement of those communal leaders has always been and will always be to be welcoming and also inclusive, but also to define the parameters of legitimacy—to declare עַד-פֹּה תָּבוֹא וְלֹא תִסֵּף “thus far shall you come, and no farther” (Job 38:11 ). Perhaps the inner child in all of us is a little rebellious, and dislikes being constrained by limits, but defining who precisely “We” are is indispensable to the corporate integrity of עַמֵּנוּ.

---

**B’rachot 13a** - January 16, 2020

הדרן עלך מאימתי

We will return to you, “*Mei-eimatai.*”

There are two reasons this formulaic insertion הדרן עלך (Aramaic for נחזור אליך “we’ll be getting back to you”) is compellingly important.

One is that it offers an encouragement to those who entered into the new 14th-ever *Daf Yomi* study on January 05 with lots of enthusiasm and **בכוונה ישראל**, but quickly found themselves bogged down and discouraged alike by the sheer volume of the material; the density of the content; and the unexpected challenge of finding time in their busy day to engage with the text as it both demands and deserves. In that sense, the significance of the **הדרך עלך** rubric, couched in good Talmudic terms: **משל**—the two-hour commute to and from my weekend pulpit on the other side of the state is far less tedious when driven at night, because even in the featureless darkness the headlights are already picking up the next half-mile roadside marker coming up ahead, enhancing the sense of movement and progress on the journey. **נמשל**—eleven days (and a corresponding eleven pages) into the mission of The 14th Cycle, the middle of B'rachot 13a is posted with a roadside marker that says: “Hey, look; we’ve already finished one whole chapter of this **מסכת**—look what progress we’re making!” **הדרך עלך** is our *Princess Bride* moment, in which Westley the farm boy, daunted in his struggle with the onerous bulk of **ש"ס**, hears this textual Andre the Giant assure us: “I just want you to feel you’re doing well.”



The other significant consideration about **הדרך עלך** is that the verb “we will return” reflects an underlying cultural assumption that engagement with the Talmud is the ongoing life’s work of a serious Jewish scholar. Working our way through the entire Six Orders from beginning to end, then closing the circle and starting over, it follows that (some day or another, in God’s good time and our own) we will indeed “be getting back” to this particular passage concluding this particular chapter.

What makes that wonderful is that the prepositional phrase **עלך** “to you” is being addressed to the first chapter of Mishnah, just concluded. Speaking in such a way means that we are viewing that chapter; the words of which it is formed; the page on which they are printed (or the screen on which they are displayed); and the bound volume (or electronic program) that contains them as a living entity, with which we are directly engaged. That makes **ש"ס** the world’s oldest interactive program. Dating from an era many long centuries before computer software and smartphone apps and touch-screens, it is our **חברותא**: an active soul-partner in our moral and spiritual and intellectual development, with which we are intimately and mutually connected. We and these words give life to each other, as the text becomes the “other self” drawing us into our own best and most authentic natures. **הדרך עלך**, indeed.

---

### **B'rachot 14a** - January 17, 2020

**השרוי בתענית מהו שיטעום . . . תניא נמי הכי מטעמת אינה טעונה ברכה והשרוי בתענית טועם ואין בכך כלום**

As for one who has undertaken a vow of fasting, what about his tasting [the seasoning of food he is cooking for others]? . . . The Mishnaic sages have taught thusly that it is not necessary to require a food benediction when simply tasting, and that such tasting does not matter at all in the case of one who has undertaken a vow of fasting.

The quantification of eating and drinking is dealt with extensively throughout rabbinic literature: is the obligation **כזית** or **כביצה**? is the index of an admixture **בטל בששים** or **כל שהוא**? In this case, the critical mass that turns the “taste” into a meal— and as such violates the cook’s vow of abstention— is defined a little lower down this page as **שיעור רביעתא** “a quarter-*log*.” That is a fairly generous allowance, since the *log* is a third of a liter: one fourth that amount is 2.5 fluid ounces, which is the

equivalent of 5 tablespoons— a little over a quarter-cup, more than enough to inform any chef worth her salt (pun very much intended).



I have to admit that this discussion on 14a immediately called to mind for me להבדיל an episode of The Food Channel's cooking competition *Chopped* in which one of the contestants was an observant Muslim woman, modestly garbed with a head scarf. Presented with olive loaf as one of the secret basket ingredients, she gamely produced a marvelously creative dish— but apologized to the judges that she had been unable to adjust the seasoning, because by virtue of her religious convictions she could not taste a dish containing pork. For people of faith bound to the spirit of their faith יש גבול בדבר (the latitude taught on our present page notwithstanding)... which perhaps brings us back to that intention from where we started on page 2a, about “כדי להרחיק את האדם מן העבירה.”

---

**B'rachot 15a** - January 18, 2020

תנן התם חרש המדבר ואינו שומע לא יתרום ואם תרום תרומתו תרומה

The Mishnaic sages have taught elsewhere [Shabbat 153b]: “a deaf person who can speak but not hear should not set aside *t'rumah*; if, however, he does set it aside, his action is valid.”

תנן התם הכל כשרים לקרות את המגילה חוץ מחרש שוטה וקטן ורבי יהודה מכשיר בקטן

The Mishnaic sages have taught elsewhere [M'gillah 1b] that anyone is eligible to read the [Scroll of Esther], with the exception of the deaf-mute, the mentally deficient, and those under-aged (although Rabbi Judah declares the minor to be eligible).

Our prophetic-Judaism social-justice consciousness bristles, as a Pavlovian reflex, at any exclusion of the hearing-impaired— particularly when a text like this one juxtaposes them to juveniles and mental incompetents, as if to suggest that deafness involves immaturity and stupidity, as well as auditory disability. Fortunately, we are rabbinical enough to process the text on its merits, and to recognize the efforts of our long-age colleagues at one and the same time:

- (a) to protect the inherent sanctity of what we do, by limiting practice to those who understand it and take it seriously, and
- (b) to expand and guarantee the rights, privileges, and fundamental personal dignity of the hearing-impaired as full participants in the religious life of the community.

Our sages of antiquity view the legislative prohibition in Leviticus 19:14 לא-תקלל חרש (the only mention of the deaf in Torah, and one of the few in Scripture) as a zip file, which they unpack into a far-reaching array of ethical lessons. Midrash Sifra, as a case in point, focuses on the operative verb “cursing,” to expand that prohibition beyond the self-evidently defenseless hearing-impaired:

אין לי אלא חרש מנין לרבות כל אדם

I have [in this Torah verse mention] only the deaf; how do we know [that this prohibition against cursing] should be extended to all people? (Sifra Q'doshim 2:13).

M'chilta d'Rabi YishmaEil, on the other hand, views the hearing-impaired *pars pro toto* as exemplars for the inherent fragility of everyone's human dignity:

לא תקלל חרש דבר הכתוב באמללים שבאדם

When it says “you may not curse the deaf,” Scripture is speaking about [not imposing upon any of] the miserable among humanity (M'chilta d'Rabi YishmaEil, Mishpatim - N'ziqim 5).

All of which is fine, in terms of midrashic expansion; but Tannaitic discussion of the subject focuses instead כפשוטו on the question of whether any particular individual hearing-impaired person should be permitted to undertake a given ritual or social obligation, with the variable being his or her ability fully to understand. That is why such little conversation about the deaf as takes place in Mishnah tends to focus on the ability of the hearing-impaired individual to communicate his or her comprehension and agreement (as e.g. חרש רומז ונרמז in Gittin 5:7, or the reference on our present *daf* 15a to חרש המדבר ואינו שומע “a deaf person who speaks but cannot hear”).



We may still choose to indulge ourselves in a little indignation that חז"ל are appointing themselves and their successors of the ensuing rabbinical בתי-דין throughout the ages as guardians of the deaf, making the hearing-impaired *de facto* wards of the community. But we also need to acknowledge two things:

- 1) Their legislations constituted not a limitation on the participation of the hearing-impaired, but rather a communal guarantor of that individual's rights that might otherwise have been in question. It is precisely because of their having institutionalized rights for the hearing-impaired that the rabbis can make matter-of-fact reference to the deaf inter alia participating in their own marriage (חרש שנשא פקחת... – Y'vamot 18:1) and expediting someone else's divorce (הכל כשרין לכתוב את הגט אפילו חרש – Gittin 2:5).
- 2) Lacking the energetic advocacy of our long-ago sages for the rights of the variously-disabled, we would have neither our own passionate commitment to that cause nor any proof-texts to cite in substantiating our sermons on the subject.

---

**B'rachot 15a** - January 18, 2020

האי צורבא מרבנן דאתא ממערבא ואמר מי שאין לו מים לרחוץ ידיו מקנח ידיו  
בעפר ובצרור ובקסמית

This emissary from our Teachers, arrived from the West, says that if one has no water for washing his hands [ritually before prayer], he can rub his hands with earth, or with a stone, or with sawdust.

אמר ליה שפיר קאמר מי כתיב ארחץ במים בְּנִקְיוֹן כתיב כל מידי דמנקי דהא רב  
חסדא לייט אמאן דמהדר אמיא בעידן צלותא

[Rabba] replied: “What he says is correct. Does Scripture say ‘I will wash in water’? It is written: ‘With cleanliness [will I wash my hands]’ - Psalm 26:6, signifying] ‘with any medium of cleansing.’” For Rav Hisda would criticize anyone who, at the appointed time of prayer, [needlessly delayed and] went looking for water.

The spiritual concept of the earth as a purifying agency is compellingly poetic for us, who officiate burials and speak of restoring the physical shell of our loved one to the soil of which Torah says we are all made. On a more practical day-to-day basis, I have on several occasions drawn on this דין when making a dry camp in the mountains, or when desert hiking. And the purificatory power of earth also plays an important part in maintaining a kosher kitchen, by virtue of restoring the usability of a meat or dairy utensil that was accidentally cross-contaminated.

In that latter case, the applicable halachic principle is that the same instrumental means of contracting טומאה must be invoked to restore the כשרות: if the dairy knife was “*treyf*-ed up” by means of friction—namely, cutting through meat—then it is purified by the frictional act of scouring it with earth.



In practice, however, this has become muddled up: many observant homemakers are under the impression that not the scouring, but the earth itself, is the instrumental agent in the ritual cleansing, and that the fork (or what-have-you) can be “*kasher*-ed” by virtue of leaving it stuck in the ground overnight. There were numerous occasions over the years that I would visit my grandma Gross, for whom *kashrut* was her personal religion, and find a piece of cutlery half-buried under the rose bushes outside the front door. In the Lower East Side of New York, many Jewish tenement residents and other apartment-dwellers would keep a potted geranium on the fire escape for the same purpose (*viz.* for the sake not of the flowers, but of the soil).

Getting back for a moment to the “default” mode of water as the normally invoked agency of ritual purification: my neighboring rabbi back in California (a מוסמך of the Telshe Yeshivah with both יורה יורה and ידין ידין from the Jerusalem rabbinate) told me approvingly that observant Jews stuck in the non-ergodynamically seats aboard commercial airlines will make the most of beverage service having preceded meal service, by wiping their hands on the condensate from an iced drink as נטילת ידיים before eating. Which illustrates (in response to Rav Hisda’s petulant impatience with unnecessary delay) that sometimes you don’t have to go looking, because the water comes to you.

**B’rachot 16a** - January 19, 2020

מתניתין - האומנין קורין בראש האילן או בראש הנדבך מה שאינן רשאים לעשות  
כן בתפלה

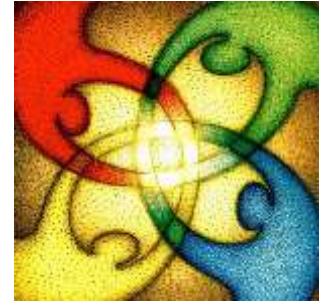
Mishnah (= B’rachot 2:4): The workmen may recite [*Sh’ma*] while up in the tree [the fruit of which they are hired to harvest] or atop the scaffolding [adjoining the wall of a building they were hired to raise, renovate, or demolish], the which they are not entitled to do for the *t’fillah* [which, since it is referred to as עמידה, must be recited while standing on the ground].

We see a reflection of this ruling in the contemporary practice of those groups of observant Jews in suburban New York and New Jersey who hold a שחרית מניין aboard a chartered bus *en route* to their jobs in the city. In compliance with the ruling of the Tanna’im, they pull over to disembark and stand on the ground (at a safe location off the highway) for שמונה-עשרה— but prior to that recite שמע ורבכותיה while rolling, in order to minimize “down time” from their commute.

That points to the fascinating counter-balance involved in the Tanna’itic legislation being amplified upon on our present *daf*:

- By their ruling, the sages are protecting the right of individual workers to step aside for a moment from the task for which they are being paid, in order to honor their prior commitment to our Covenant Partner On High.
- At the same time, the sages are protecting the rights of the employer by requiring workers to keep a lid on the “moment” in question, so as to minimize their personal time while “on the clock.”

As such our passage represents a progressive piece of labor law, the likes of which would not come into common currency until promulgated by the U.S. government in response to the labor movements of the late 19<sup>th</sup> and early 20<sup>th</sup> centuries. The difference being that the Tanna'im are formulating the employer-employee relationship in purely ethical terms, dismissing the economic inequality between the respective parties by positing both as spiritual peers בצלם אלוהים, bound in mutual interdependence to a social contract that sustains and ennobles them both.



**B'rachot 17b** - January 20, 2020

*We note in passing the incidence on this daf of another הדרן עלך, having previously commented on that formula when it first appeared at the end of Chapter 2 on 13a.*

מתניתין - מי שמתו מוטל לפניו פטור מקריאת שמע מן התפלה ומן התפלין  
Mishnah (= B'rachot 3:1): Those whose dead are laid out in their presence are exempt from the recitation of the *Sh'ma*; from reciting the Eighteen Benedictions; and from laying *t'fillin*.

נושאי המטה וחלופיהן וחלופי חלופיהן את שלפני המטה ואת שלאחר המטה את שלמטה צורך בהן פטורין ואת שאין למטה צורך בהן חייבין אלו ואלו פטורין מן התפלה

As for those who carry the bier, and the “tag-team” carriers who will be spelling them on a relay basis: those ahead of the bier on the processional route (as well those behind it, who may be needed [to go on ahead and subsequently carry it again]) are exempt [from recitation of *Sh'ma*], while those who are not required to help with transporting the bier are obligated— but both those cohorts are exempt from the Eighteen Benedictions.

Hitherto in our text, discussion of timely recitation of the *Sh'ma* has proceeded from the assumption that it constitutes an indispensable religious duty. The fact that it can in fact be put aside to expedite the obligation קבורת הקברנו ביום ההוא (Deuteronomy 21:23) therefore functions as an important lesson in the primacy of מצות כבוד-המת.

The measure of this, in purely liturgical terms: if קריאת שמע— a central religious duty מדאורייתא, in literal fulfillment of the Toraitic mandate וְדַבַּרְתָּ בָּם— can be set aside to deal with the final needs of the newly dead, then as for the dispensability of the merely adjunct duty of laying *t'fillin* (which is only implicitly מדאורייתא through a literal application of the figurative language in Deuteronomy 6:8) and of מתפלל שמונה עשרה (which is completely and entirely מדרבנן), קל וחומר.

The second part of the passage, focusing on the pallbearers required to take their deceased neighbor from the home to the burial-place, may not at first glance seem of much significance to us, in an era when deaths generally occur in a medical facility and the dead are transported thence to the mortuary (and subsequently to graveside) by motor vehicle. In spite of that, this legislation serves as prototype for our need to juggle our priorities— throwing over show tickets, cancelling meetings, handing off carpool duty— to lend all-hands-on-deck support to our newly bereaved friends and neighbors.

It is the latter, in any event, who are the prime focus of the passage: not the ancillary helpers and incidental supporters, but the one[s] immediately impacted by the loss; and it is they first and foremost whom מפני אנינות הז"ל release from the duty of reciting *Sh'ma*. It strikes me that there are two reasons that people in this “walking wounded” stage, paralyzed with shock and grief, are exempted from their religious duties:

- 1) At an emotionally vulnerable time, they are nonetheless compelled to deal with a myriad of logistical arrangements (today that involves *inter alia* calling the mortuary, notifying kinfolk, ordering deli platters [!], pulling airport duty). As such, they are not sufficiently in control of their time to watch for and knock off at שעת קריאת שמע.
- 2) Between the distraction of those nuts-and-bolts and the emotional trauma of immediate loss, the אונן/אוננת may find it hard to invoke much in the way of כוונה, or to remember the content and sequence of the prayers—and may not, very frankly, even be feeling very prayerful in the first place, at a moment when there is more of an inclination to question than to praise God.

That the Tanna'im recognized these facts, and gently institutionalized a categorical exemption from routine devotional duties at a time when more compelling duties intrude themselves upon the bereaved, speaks of profound psychological insight and practical wisdom on the part of our sages of antiquity.

---

**B'rachot 17b** - January 20, 2020  
**and B'rachot 18a** - January 21, 2020

מי שמתו מוטל לפניו . . . אינו מיסב ואוכל ואינו אוכל בשר ואינו שותה יין

Those whose dead are laid out in their presence [during the period of אנינות] . . . do not recline at meals; nor eat meat; nor drink wine.

ובשבת מיסב ואוכל בשר ושותה יין

But on Shabbat[, when fasting is not permitted, so that these self-deprivations are lifted in honor of the holiness of the day], they may recline at meals; eat meat; and drink wine.

As I view it, the central focus here is the question of eating meat. Wine is no longer the self-indulgent luxury it was in antiquity, and we only recline at meals once a year on Passover as a vestigial reminder of the Greco-Roman banquets which were the prototype for our *seider* “Feast of Freedom.” But in my southeast Florida turf of transplanted New Yorkers, the immediate response to dealing with a death in the family is to call the deli to order cold-cuts platters—usually prior to notifying the rabbi, and sometimes even before contacting the mortuary.



There is something fundamentally awry about that. Meat consists of the dressed musculature of a formerly living thing that was slaughtered for our nourishment and enjoyment. Viewing it in those terms (and an observant Jew, who segregates milk-as-life from meat-as-death as a matter of course, would not view it in any other), serving a portion of an animal corpse to the newly bereaved אונן represents a spiritual affront to a person who is already keenly aware of the preciousness of life by virtue of having מתו מוטל לפניו “his dead laid out in his presence.”

That makes an at least temporary abstention from meat a psychologically compelling and spiritually meaningful gesture of וּבְחַרְתָּ בַּחַיִּים, allowing us symbolically to affirm life in the face of death. As such, even though the present *baraita* does not legislate any such an abstention beyond the hiatus of אנינות, the underlying consciousness nonetheless traditionally carries over into the period of אבלות after the burial. In most S'fardi communities (and, as a result, among some Hasidim), the mourners abstain from flesh-eating throughout the entire שבועה week (making an exception only לכבוד שבת, and even then down-shifting their סעודה from red meat to poultry). Even among Ashkenazic Jews, who do not customarily observe any such stringency, the first nourishment offered the bereaved at

the symbolic *סעודת הבראה* “Meal of Recovery” upon returning from graveside is traditionally a non-meat protein: historically, lentils; in modernity, more commonly a hard-cooked egg.

All of which practices reflect a symbolic gesture institutionalized by the Tanna'im, who by means of that innovation declared (more than eighteen centuries before Dylan Thomas) that “death shall have no dominion.”

---

**B'rachot 19a** - January 22, 2020

ותניא אותו היום הביאו כל טהרות שטיהר רבי אליעזר ושרפום לפניו ולבסוף  
ברכוהו

It is taught in a *baraita*: that same day they brought everything that Rabbi Eli'Ezer [ben Hurkinos] had declared ritually pure [in spite of it having been cooked in the “snake oven” all of them had ruled invalid]; they burned it in front of him; and then they finished up by “blessing him” [= a euphemism for excommunication].

This is of course a digested summation of the famous incident in Baba Batra 59b, wherein Rabbi Eli'Ezer invokes one miracle after another in a vain effort to persuade his seventy colleagues that their consensus ruling was wrong, and that his dissenting minority opinion is the correct answer. There are two considerations operating here, based on the fact that *הלכה*, which we shorthand as “Jewish law,” is actually a technical term denoting:

- (a) the normative conduct of Jewish life (*i.e.* ה-ל-ך “the way to go”)
- (b) as derived by demonstrable process
- (c) and determined by consensus.

The consensus part is self-evident here. Operating from the principle that majority rule was Divinely ordained at Sinai (this based on a marvelously creative reading of *אֲחֵרֵי רַבִּים לְהִטָּת* in Exodus 23:3), and having already decided the matter by a vote of seventy to one, the members of the Academy expect Eli'Ezer to shut up and sit down so they can proceed with the rest of a very full agenda.

The second consideration, “demonstrable process,” is arguably the more important factor in this case. It is probable that earlier on in the debate summarized in Baba Batra 59b Rabbi Eli'Ezer had followed accepted protocol by adducing legitimate proof-texts to substantiate his position; however, there is no room in accepted procedure for invoking miraculous interventions to prove a point. A beleaguered people living under Roman occupation a generation after the destruction of Jerusalem; beginning to melt away into a global dispersion; eroded from within by assimilation; and challenged by the rise of new sects, did not have the luxury of being swayed by wonder-workers who can *e.g.* walk on water or restore vision to the blind. David Copperfield can make the Statue of Liberty disappear; that doesn't signify he's right about anything.



Rabbinic literature routinely features dissenting voices, incidences of “דבר אחר” or “ויש אומרים”; the Mishnah itself is the origin of the stereotype about “two Jews; three opinions.” How-

ever, the benignly adversarial degree of disputation inherent in the halachic process of *משא ומתן* could never be allowed to degenerate into insurrection. How much the less so was this the case under the exceptional circumstances of Jacob Neusner's eponymous *First-Century Judaism in Crisis*— a stark reality that, in the case of our present text, helps us grasp the unfortunate necessity of the rabbis' harsh treatment of their erstwhile colleague, Rabbi Eli'Ezer.



A parable: on October 22 of 1707 a British naval fleet ran aground off the Scilly Islands due to an incorrect estimate of longitude computed by Admiral Shovell in consultation with his officers. Four of the five ships sank, with the loss of all hands. The previous evening a seaman aboard the flagship had warned the Admiral that his own calculations of their position showed the fleet was in imminent peril; the man was summarily hanged for mutiny. נמשל: compared to hanging, Eli'Ezer got off easy with a mere ban of הרם. But the fact remains that, in view of the organizational discipline necessary to hold together a system under threat, the principle of achieved consensus must nonetheless apply (even if, as Rabbi Eli'Ezer and the hanged sailor demonstrate, from time to time the majority happens not to have gotten it right).

=====

**B'rachot 20a** - January 23, 2020

אמר ליה רב פפא לאביי מאי שנא ראשונים דאתרחיש להו ניסא ומאי שנא אנן  
דלא מתרחיש לן ניסא . . . ואילו רב יהודה כי הוה שליף חד מסאניה אתי מטרא  
ואנן קא מצערינן נפשין ומצוח קא צוחינן ולית דמשגח בן

Rav Papa said to Abayei: “How are past generations, for whom miracles were wrought, different from us, for whom no such miracles occur? . . . Had Rav Yehudah gotten as far as drawing off only one of his shoes [to inaugurate a public fast to help bring about the end of a drought], rain would have come at once; but for us there is no response even if we practice self-deprivation and cry aloud!”

אמר ליה קמאי הוו קא מסרי נפשיהו אקדושת השם אנן לא מסרינן נפשין  
אקדושת השם

[Abayei] responded: “They sacrificed their lives for the Holiness of the Name, whereas we have no occasion for such martyrdom.”

Rav Papa poses a compelling theological question, which has been asked by Jews of many ensuing eras (including our own). But while Abayei's sociological response may not cleave the Gordian Stroke in resolving this significant issue of religious faith, it does reflect in an important way on why it is that the Talmud was written in Babylon rather than Israel.

In the Roman province of Iudaea after the destruction of Jerusalem in 70 the Sanhedrin was a “shell game,” shuttling around the country to Yavneh, Usha, Yavneh, Usha, Sh'far'Am, Beit-Sh'arim, Tzipori, and finally Tiberias. As the *de facto* ghost government of a vanquished (but still resentful and seditious) people, the Sanhedrin was a source of suspicion to the Roman authorities, to alleviate which the rabbis rebranded themselves “The Great Academy” under the leadership of Gamliel IV around 275. They issued no meaningful decisions after standardizing the calendar under Hillel II in 328, and were disbanded altogether at the order of Emperor Theodosius in 425. All of which indignity is, of course, on top of the very literal martyrdom that Abayei refers to: those ten members of the Sanhedrin who, nearly 200 years before his time, had been tortured to death in the amphitheater at Caesarea upon the failure of the Bar-Kochba rebellion, marking the end of Israelite national autonomy until 1948.



By contrast, the *Amora'im* of the Babylonian academies lived in what was by the standards of the time a stable and relatively safe part of the world.

- The Sassanid province of Asuristan, which we call בבל “Babylon,” was a long-established corridor of overland, riparian, and maritime global trade that furnished the Diaspora community residing there both a livelihood and a good quality of life.

- The nationalist zeal and territorial ambitions of Ardashir the Unifier, who conquered the Parthians in 226 to establish a new Persian Empire, established a strong central government that held back Roman expansionism for centuries thereafter and made for a prolonged era of peace and security.



- While pagan polytheism challenged Jews with a culture of demons and devils, and a Zardochi claim of a monopoly to fire during their holy days led to occasional inconvenience (the Talmud recounts the case of a *gueber* who walked boldly into a rabbi’s house to blow out the Shabbat candles, leaving the man sitting alone in darkness), the fact remains that the followers of Zarathustra celebrated pluralism and preached religious tolerance, so that for the larger part Jews in Babylon were spared the indignities and martyrdom they would later suffer elsewhere.

For that matter, they did ultimately suffer it in Babylon, as well. Jews, as well as Zoroastrians and pagans, were slaughtered when the Sassanid Empire of Persia fell to the invading Arab armies of Islam in 651; the Ga’onic era ended when the last head of the Academy at Sura was tortured to death by Shi’ites in 1040; and under increasing hostility from the people and government of Iraq, most of the Jewish population of that country were airlifted home to Israel in 1951. But those later considerations (which are precisely that: later considerations) serve only to highlight how good Rav Papa had it in his own time, in a prosperous and peaceful and productive place.

In the process, it turns Abayei’s response to Rav Papa into a challenge to us, living in a democratic republic that even in these difficult and divisive times is mostly prosperous and largely peaceful. In spite of our justified hand-wringing, as people of conscience, do we have:

- an honest sense of context regarding just how bad things truly aren’t;
- a humble recognition of just how relatively good they still are; and
- an acknowledgement that the price each of us is called upon to pay, to preserve our shared freedoms and to secure our mutual welfare, generally falls way short of קידוש השם?

=====

**B’rachot 21a** - January 24, 2020

ותנן היה עומד בתפלה ונזכר שהוא בעל קרי לא יפסיק אלא יקצר

The Mishnaic sages have taught us: Should one be standing and reciting the *T’fillah*, and suddenly remember that he was “a guy that something happened to,” he need not break off praying— but he should abbreviate [the remainder of the liturgy].

There used to be a circular argument that a woman can’t go up for an *‘aliyah* to the Torah because of the possibility she is currently menstruating, which makes her temporarily ineligible מפני טומאת נידה, in which case her declining the *gabbai’s* invitation would constitute the public embarrassment of effectively announcing to everyone present that she is currently menstruating. We will disregard the implausibility of that whole scenario, while invoking its component dynamics of טומאה וטהרה; צניעות; and דרך ארץ to look at the menstruating woman’s male counterpart: the euphemistically labeled בעל קרי “a guy that something happened to.”

A man who contracted טומאה as the result of a nocturnal emission is ineligible thereby to participate fully in public worship the next morning. That is because the principles of ritual purity established for the Aaronide priests— which, within our קדוש וגוי קדושים [Exodus 19:6] apply to all of

us— stipulate that, even having immersed in the מקוה on his way to synagogue, he still remains in a state of טומאה until sunset inaugurates the next ensuing day (וַבָּא הַשֶּׁמֶשׁ וְנִטְהַר [Leviticus 22:7]).



As such, truncating his recitation of the liturgy as discussed on this page is a token of his temporarily diminished state, and at the same time makes symbolic expiation for any shame or guilt he may feel over his erotic dream. All of which remains his own private affair (although upon arrival at *schule* he may need to have a quiet word to apprise the *gabbai* he's out of the running for a pulpit honor that day).

It strikes me that this psychological intervention represents a marvelous accommodation supporting adolescents in their developing sexuality. And as arcane as it may feel for many Jews today, it is a compelling illustration of how the spirituality of Judaism emerges between the lines in everything we do. Because frankly I am personally more than a little impatient with the New Age self-proclaimed “JewBu” who smudges with smoldering sage to purify his house of negative energy, but scoffs at his own tradition’s spiritual legacy of וטהרה וטהרה.

---

**B’rachot 22a** - January 25, 2020

תניא רבי יהודה בן בתירא היה אומר אין דברי תורה מקבלין טומאה

The sages of the Mishnah taught that Rabbi Judah ben Bateira used to say that words of Torah are not susceptible to *tum’ah*.

In my Torah-study sessions, we never translate the term טומאה *tum’ah*: in part because, like *tortilla* or *mezuzah*, it is its own discrete term that speaks for itself, and in part because it is a paradox.

Nominally it conveys the idea of ritual impurity, and in that sense designates in procedural terms an individual who for some reason is temporarily ineligible to commune with God by partaking of a sacrificial offering (or by extension, as discussed in these recent *dapim* of Talmud, of participating with the assemblage in public worship). But in a broader spiritual sense טומאה is a spiritual category denoting a person distracted by a life-altering experience.

- The nocturnal emitter, by his inadvertent spilling of seed, has relinquished the potential of a new life;
- the menstruating woman, as Sharon Strassfeld has taught, by the implicit loss of the blood-nourished womb tissue and unfertilized egg she has cast off has been touched by a virtual death;
- and the participants in a קדישא, tenderly cleansing and dressing the body of a deceased neighbor, are engaged hands-on with death itself.

In all these cases of טומאה, the individual in question is not so much ostracized as given space to come to terms with a different level of reality, returning to the everyday when they have had an opportunity to get past the distraction, having first integrated into the fabric of their being what they have learned from the experience.

It is in those terms that we need to recall that, beyond its literal sense of ritual impurity, טומאה is also invoked by our sages of antiquity to convey the principle of sanctity, as when they tell us that שיר הידים— which literally means that “the Song of Songs renders the hands *tamei*,” but in this context means that the book is a life-changing document, possessed of fundamental holiness and worthy of being included in sacred Scripture.

That observation develops a context to understand this present *baraita*. The words of Torah are not susceptible to *tum'ah* (in the literal sense of uncleanness) because in our shared religious imagination they represent the revealed Word of God, and a connection to the Source Of All Things that is so constitutionally sacred that no taint could possibly touch or effect, let alone diminish, it. To the contrary, not just reciting those Words in study and prayer but physically laying hands on the scroll in which they are recorded cannot possibly leave us unchanged at our core— for which reason the Torah by all means מטמא את הידים, is possessed of the most fundamental inviolate holiness of all.



---

**B'rachot 23b** - January 26, 2020

השתא בית הכסא קבוע שרי בית הכסא עראי מיבעיא

If in a fixed permanent privy [it is permissible to bring properly wrapped and concealed *tefillin* inside] is there any question that to do so is permitted it in a spontaneous privy?

The question of comportment under discussion in these current pages, namely the problem of wearing *tefillin* into the toilet as opposed to finding a way to at least symbolically contain and conceal them, emerges from the fact that initially *tefillin* were worn as a garment throughout the day, as an ongoing fulfillment of the religious duty to “bind [the words of God] upon your hand,” and not just during the recitation of שמע וברכותיה in the morning as we do today. Given that, the inclination of the sages is to be lenient (in terms of which, see the heart-rending depiction in K'tuvot 104a of the frail and dying Judah haNassi, painfully dragging himself repeatedly from sickbed to privy and back, laboriously unwinding and then re-wrapping his phylacteries each time). This leniency is particularly the case since, as we discovered in the discussion on page 8a, in view of the marshy nature of most of the population centers in Babylon relief facilities were few and far between.

The reference here to a בית הכסא עראי “spontaneous [or temporary, or *ad hoc*] privy” invokes my days backpacking in the Sierra Nevadas, using the heel of a boot to scrape a shallow “cat hole” for moments of relief per trailcraft taught in the *Boy Scout Handbook*. However, it also invokes the requirement in Deuteronomy 23:14 not just to excavate latrines as required for *pro tempore* use, but to fill them in after use (וְשָׁבְתָּ וְכָסִיתָ אֶת-צִאֲתָהּ). As such, a Toraitic mandate issued explicitly as a public-hygiene regulation of camp discipline for armies on campaign becomes conceptually expanded into a citizenship duty of aesthetics and common courtesy alike.

---

**B'rachot 24a** - January 27, 2020

ואיבעית אימא לא שנא רצועה ולא שנא קציצה אסור וכי תלה רבי בכיסתא תלה

Or if you like, I can say that in either case, whether by the strap or by the box, it is forbidden [to store *tefillin* by hanging them up], and when Rabbi hung his up it was in a bag.

אי הכי מאי למימרא מהו דתימא תיבעי הנחה כספר תורה קמשמע לן

If so, what does this tell us? You might think that they must be resting on something, as for a Torah scroll; therefore we are told that this is not a requirement.

The intimation of the passage is that *tefillin*, when not being worn, should be stored away out of respect— in a bag, and not left out in the open, draped over a bedpost or hanging from a nail on the wall. But what is most intriguing is the specific message that, just because the *tefillin* contain four

passages from the Torah, it is not necessary to have a cabinet or table to put them in, as the case for the actual Torah scroll itself.

This is significant, because it is a reminder of how different our ancestors' lives were from our own. Their homes were vastly smaller than ours, and much more sparsely furnished.

Even in Medieval Europe a table was not a fixture, but was set up only when required by putting a few planks over a pair of trestles or sawhorses, and then removed after the meal. Case in point: in the Prologue to Chaucer's *Canterbury Tales* (c. 1390), it is the index of the Franklin's wealth and love of hospitality that

*His table dormant in his halle alway  
Stood redy covered al the longe day.*

For our Biblical ancestors, things were even more spartan. Consider that the guest room the Shunamite woman provides the prophet Elisha as his *pied-a-terre*, by virtue of being equipped with מִטָּה וּמְנוּרָה וְכִסֵּא וְשִׁלְטָן “a bed, a table, a chair, and a lamp” [II Kings 4:10], represented by the standards of antiquity sumptuous furnishings, indeed. In the case of our present *daf*, we learned earlier on this page that our ancestors in 3rd-century Babylon had beds (albeit no pajamas). The assertion herein, that there is no expectation of there also being a table on which to put your *tefillin* when getting ready to retire, intimates that the bed in question may very well have been the only furnishing in the room.

In those terms, we acknowledge throughout our ongoing studies that the emotional, spiritual, intellectual and psychological realities reflected in the Talmudic narratives generally serve as a distant mirror reflecting people very much like ourselves... but that in some small but nonetheless notable ways they lived very different lives from us, a distinction we must recognize and respect.

---

**B'rachot 25a** - January 28, 2020

אמר רבא לית הלכתא כי הא מתניתא אלא כי הא דתניא לא יקרא אדם קריאת  
שמע לא כנגד צואת אדם ולא כנגד צואת חזירים ולא כנגד צואת כלבים בזמן  
שנתן עורות לתוכן

Rabba said that the ruling is not as stated in this *baraita* [regarding the incidental proximity of dog dung being an impediment to personal devotion], but rather is taught in the following: A person should not recite the *Sh'ma* in the physical presence of either human excrement or the excrement of pigs or dogs into which hides have been put.

The distinction between the two rulings may not be immediately apparent, but in fact is a matter of degree: Rabba invokes a leniency whereby the incidental presence of small quantities of fecal waste nearby need not be regarded as an impediment to our devotions. Whereas *davvening* in front of human dung כל שהוא remains an issue, the applicable ruling proceeds from the assumption that, since the prevalence of animal excrement used in a variety of industrial applications makes it all but impossible to avoid, regarding it as an obstruction to prayer constitutes a needless stringency.

The most conspicuous case is that of tanning leather, mentioned here, which even in modern times is one of the dirtier and smellier industries; in pre-industrial societies, tanneries are confined to the outermost areas on the downwind side of town. Among the fouler aspects of the process, the skins are soaked in urine to remove the hair, after which the hides are softened (“bated”) by rubbing them extensively with animal brains or excrement.



Because tanners spent their day not just handling but immersed in such malodorous compounds, even in our era of indoor plumbing and daily bathing the smell would become ingrained in their skin as a

persistent personal attribute; in the third century, when washing facilities were both limited and only rarely invoked, על אחת כמה וכמה. As such this passage invokes for me the ruling promulgated in Mishnah K'tuvot 7:10 (= K'tuvot Bavli 77a), establishing a woman's right to initiate divorce proceedings based on some noxious trait of her husband's... including *inter alia* his working as מקמץ “a gatherer-up [of animal excrement]” or בורסי “a tanner” immersed in the product of the former. My teacher in Jerusalem, the kindly and gentle Cantor Avraham Alkay, presented that text in a characteristically kindly and gentle way, inviting us to imagine a scenario in which a caring wife (holding her malodorous husband gingerly by the hand) declares regretfully to the members of the בית דין “I thought I could stand it, because I genuinely love him so much— but I'm afraid that, in spite of that, the smell is just too much to bear.”

---

**B'rachot 26a** - January 29, 2020

אמר רבי יוחנן טעה ולא התפלל ערבית מתפלל בשחרית שתיים

Rabbi YoChanan said that one who erred by not [reciting the *T'fillah* together with שמע [וברכותיה] at the *Ma'ariv* evening service, [in order to supply the deficiency] recites *T'fillah* two times at *Shachrit* morning worship;

שחרית מתפלל במנחה שתיים

or if [if making the same oversight instead] at *Shachrit*, by reciting the *T'fillah* two times at *Minchah* that afternoon.

Missing a section of the service isn't all that surprising. Even having the privilege of leading public worship in an era when the advent of movable type and electronic composition means we have a printed prayerbook text in front of us, we have all had at least one occasion where we got distracted or skipped a page without noticing; for long-ago individual worshippers or שליחי-הציבור who didn't have such a script in hand, על אחת כמה וכמה.

The emphasis in this passage on “*davvening* redux” is significant, because the establishment of what golfers call “a mulligan” points to the indispensability of all three daily recitations of the תפילה as a core religious duty. The conceptual underpinning of this is as follows:

- With the destruction of the Jerusalem Temple, worship— whether public or private— functions as a surrogate for the sacrificial offerings. That principle is established in Yoma 86b (based on Hosea 14:3 וְנִשְׁלַמָּה פְּרִים שְׁפִתֵינוּ... קָחוּ עִמָּכֶם דְּבָרִים), and invoked succinctly farther down this same page (תפלה במקום קרבן היא).
- The duty of a full quota of three recitations of תפלה within any 24-hour period follows from the requirement that the priestly offerings be made דְּבַר-יוֹם בְּיוֹמוֹ (Leviticus 23:37) in which בְּיוֹמוֹ “in its day” simultaneously denotes more broadly “in a timely manner” and more specifically “within one single day.”
- The above-mentioned tripartite daily duty, that was formerly the function of the Aaronide priesthood, upon the destruction of Jerusalem devolves upon each and every member of a nation that was pledged at Sinai to be מְלֶכֶת פְּהַגִּים וְגוֹי קְדוֹשׁ (Exodus 19:6).

As such, when it comes to having skipped one timely recitation... in the immortal words of the A-1 steak sauce commercial: “Yeah— it's that important.”

There is no intimation that failing to make up the daily quota of תפילה-as-sacred-offering is in any a punishable offense. That notwithstanding there is a poignant sense of loss when the same passage on this page that asserts במקום קרבן היא goes on to say בטל קרבנו יומו וכיון דעבר יומו. The intimation is not that God is huffily tearing up the other two prayers, because of our failure to recite the third,

but rather that a potentially uplifting moment of the worshipper's communion with the Divine is gone forever— or at least until tomorrow. The Gates of Repentance may never be barred (שערי תשובה) (Midrash T'hilim 65:4), but this particular window of opportunity has closed for another day.

As such, the provision the Tanna'im are making here for "catch-up" devotions is a wonderfully creative psychological and spiritual intervention.

- In psychological terms, it's a "don't-sweat-it" reassurance to a committed worshipper kicking him- or herself for the oversight. "Relax; we'll just do two tomorrow, and you're caught up."
- In terms of the many pious Jews, Orthodox and non-, who abide by the conviction of Moshe Chayim Luzzatto (in his introduction to מסילת ישרים) that the purpose of human life is to acquire the merit of racking up the greatest possible number of מצוות עשה, this provision for a double-step catch-up maintains both our momentum and our spiritual integrity by helping preserve our personal high score.

All of which evokes for me Max Ehrmann's admonition, in his 1927 poem "Desiderata":  
*Beyond a wholesome discipline, be gentle with yourself.*

**B'rachot 27a** - January 30, 2020

רבי יהודה בן בבא העיד חמשה דברים . . . על תרנגול שנסקל בירושלים על שהרג  
את הנפש

Rabbi Judah ben-Baba offered testimony to five things . . . [one of which was] that a rooster was executed by stoning in Jerusalem for having killed a person. . . .

The bit about the rooster seems an incongruity. Even the larger breeds of male chicken— which stand barely knee-high on an adult and weigh at most fifteen pounds— are not usually dangerous, let alone lethal. RaSHI explains that the cockerel in question was curious about the indentation in a baby's head; pecking inquisitively at the cranial fontanelle (ניהור קדקדו במקום שהמוה רופף), its beak pierced into the brain, killing the child. He also reports that the officiating court derived the sentence, death of the bird by stoning, as an extrapolation from the parallel ruling regarding the goring ox in Exodus 21:28.

Putting aside for a moment the self-evidently tragic death of the baby, in purely scholarly terms there are two reasons this scenario is important.

One is that it reflects on the vast scope of rabbinic engagement. We as clergy professionals are only in modernity, and only incidentally, sermon-givers and life-cycle ceremony officiants; first and foremost we are liberal-arts scholars, and in a world of ever-increasing specialization we remain among the broadest-ranging of generalists. If our long-ago colleague asserts of Torah הפך בה (Avot 5:22), the corollary is that our intellectual engagement is equally comprehensive— that there is effectively no field; no topic; no fact; no human endeavor, upon which our rabbinical work does not potentially touch.

In addition to that, this incident highlights the constitutional dynamism of rabbinic thought. Unfazed by the lack of a precedent for the case at hand, the Jerusalem בית דין extrapolated a binding response based on pre-existent legitimate parallels. The creativity of אמוראי ארץ-ישראל in applying the prin-



ciples and procedures of Torah to new situations; in breaking the question into its component parts; in inferring and expanding based on the established hermeneutics governing compare-and-contrast; and ingeniously shaping עץ ההיים as required, in order to preserve both the utility and the integrity of Torah— these lay the intellectual and procedural groundwork for the *Responsa* each of us is called upon to generate all the time.

Wherefore let us generate a legal opinion right now in regard to the question of whether the owner of the cockerel back in Jerusalem was at least entitled to get a meal out of that incident. The definitive answer is “no,” as derived from the parallel to the שור שנגח in Exodus 21:28— which may have served as the אסמכתא, but was not served otherwise, inasmuch as that verse stipulates of the executed animal אֶת-בֶּשָׂרוֹ וְלֹא יֵאָכַל “that its flesh is not to be eaten.” Which makes this by all means a מה-אף situation: מה (just as) the owner of the executed bovine doesn’t get to salvage a side of beef from the injured party’s loss, אף (so too) would it be stunningly inappropriate of the late rooster’s owner to flaunt his indifference to the family bereft of a child by cavalierly having a chicken dinner at the expense of their grief.

---

**B’rachot 27a** - January 30, 2020

רבי יהודה בן בבא העיד חמשה דברים שממאנין את הקטנה

Rabbi Judah ben-Bava offered testimony to five things: that we urge the underage girl to repudiate. . . .

Unpacking this bit of zip-file text based on the classical commentaries yields a fascinating insight from an equally fascinating scenario. We are dealing here with a קטנה “underage girl” (as defined in Y’vamos 12:2 - איזו היא קטנה מבת י”א שנה ויום אחד עד י”ב שנה ויום אחד) who, upon the death of her father, was married off by her brother or mother so as to free them from the burden of having to support her from the estate. Upon attaining her majority at age twelve, she acquires *ipso facto* the autonomy to annul retroactively the marriage that was imposed upon her.

It is quite plausible that a very young woman, in spite of being unhappy with the arrangement foisted upon her, by virtue of having previously been cut loose by her own family might balk at the thought of annulment in favor of the known-quantity relative security of continuing in a dubious marriage.

That is why the operative verb in this passage is so significant. מֵאֵן signifies “repudiating” or “refusing,” but in this case the plural participle מְמַאֲנִין is a transitive verb: “we encourage her to repudiate.” In this context that denotes an urgent action on the part of the community and בית דין to intervene in advocacy for the newly autonomous young woman. The implicit assertion is that the former orphan and still-young bride is not in this alone.

Although some students of Talmud suggest that חז”ל promulgated this decree out of a concern over complications of personal status involving inheritance, יבום, and חליצה, the commentators in question lived in a later era and a much different part of the world. By contrast, Judah ben-Bava was one of the ten martyrs of the Hadrianic persecution, executed a third of the way into the second century for ordaining a new generation of rabbis to provide future guidance for a beleaguered Jewish civilization in flux. As such, it is clear from both content and context that his “testimony” alluded to in this text involves having put his significant prestige behind doing away with the institution of child-marriage.

That arcane practice is still common to this day in southwest Asia (as well as in many traditional societies elsewhere throughout the non-industrial world). Outside of the kind of initiatives taken by Judah ben-Bava early in the 2<sup>nd</sup> century, it has taken until modern times for anyone else to see the dubious institution of child-marriage as a compelling social problem: only within the last generation



has the United Nations come to regard it as one of the most persistently erosive influences on women’s dignity and personal rights. As such, it is compelling to note that even in Middle Eastern countries where child-marriage is a social norm, it has rarely been practiced by Jews—and then, invariably, only in times of emergency. (I read an interview many years back with an elderly Persian immigrant whose parents had been married to each other when Dad was eight and Mom was seven, at the time of an Islamist campaign of forced conversion targeting Jewish children. According to their daughter, “on their wedding night my parents sat up in their new silk pajamas and played jacks”).

The fact that the “underage” girl in our text is, as already mentioned above from Y’vamos 12:2, at least eleven years old broaches the interesting question of those several rulings in the Mishnah in which חז”ל make reference to the legal standing—and theoretical marriageability—of a much younger girl who is at least *בת שלש שנים ויום אחד*. Appearances notwithstanding, this legal definition of “three-and-a-day” actually puts teeth in Rabbi Judah’s bold initiative of a longitudinal campaign against child-marriage. That is because this particular delineation of status does not institutionalize an unworthy social convention so much as challenge it, by discrediting a man so insecure with himself (and anxious to dominate a woman) that he’s looking to take a very small child under the *chuppah*. Measuring by the fact that in many traditional societies to this day senior toddlers are still on their mother’s breast and wear diapers, defining three years as the minimal age for a bride is essentially the rabbis’ sardonic husband-shaming way of saying: “fine— so long as she’s already weaned and toilet-trained.”



Measuring by the fact that in many traditional societies to this day senior toddlers are still on their mother’s breast and wear diapers, defining three years as the minimal age for a bride is essentially the rabbis’ sardonic husband-shaming way of saying: “fine— so long as she’s already weaned and toilet-trained.”

**B’rachot 28a** - January 31, 2020

בו ביום בא יהודה גר עמוני לפניהם בבית המדרש אמר להם מה אני לבא בקהל  
אמר לו רבן גמליאל אסור אתה לבא בקהל

There came that day one Judah, an Ammonite convert, before them in the Academy, and said to them: “What is my status, as regarding eligibility to marry a Jew?” Rabban GamliEil told him: “It is forbidden for you to marry a Jew.”

אמר לו רבי יהושע מותר אתה לבא בקהל

Rabbi Joshua told him: “You are permitted to marry a Jew.”

Nesting atop the Great Rift escarpment east of the Jordan, where the Hashemite capital of Amman sits atop (and by its very name bears witness to the enduring legacy of) their principal city, our long ago cousin-nation of Ammon was— at least from an Israelite viewpoint— unequivocally bad news. Ammonite enmity may have originated in their own unique spin on Genesis 13:11, which describes their ancestor Lot as a greedy *chazzar* who, offered half the cupcake, took the top because that’s where all the frosting is. (Their narrative would be that Lot was a vulnerable and abused victim, expelled by his cruel and selfish uncle Abraham who wanted The Promised Land all to himself). But regardless of where the unilateral jealousy and resentment and rivalry started, it continued for centuries as the Ammonites invaded the Jordan tableland in the period of the Judges in an effort to annex Gil’ad; warred against David’s nascent kingdom of Israel; joined an international alliance invading Jerusalem in the time of



Y'hoYaqim; harried the Israelites rebuilding the Temple in the Persian period; and ceased being a problem only they were finally vanquished by Judah Maccabee.

It is in view of that history that the inquiry of the Ammonite convert Judah is informed not by his social standing within the Jewish faith but rather by his ethnic identity within עם ישראל. Certainly we know that a convert to Judaism is regarded as a Jew in every respect, entitled to every privilege of communal life including marriage to a born Jew (which latter specific legislation is articulated in Mishnah Qiddushin 4:1: לויי ישראל חללי גרי וחרורי מותרים לבוא זה בזה). However, in view of the long-standing enmity of the Ammonites, Deuteronomy 23:4 establishes a comprehensive ban against their marrying into the Israelite community גם דור עשירי “up to the tenth generation”— a turn of phrase which (in case someone took it literally) the same verse goes on to emphasize means עד-עולם “not ever.”

If that is so, then in the face of an eternal ban, why does Rabbi Joshua overlook this man's national-origin by permitting him to marry into the Israelite community? Perhaps, in the immortal words of Nikki Gil, “forever is not as long as it used to be.” Or in broader terms, it may be a mere question of the statute of limitations. We can find a parallel in our envious Amalekite cousins, who would have been forgotten long since had the Torah not paradoxically required us to remember what they did to us so we could blot out their memory. Along those lines, how plausible is the obstructionist posture of Rabban GamliEil (who died in 52 CE), drawing a firm line to deny Jewish marriage to an Ammonite convert, when more than 1300 years (which, by any standard of personal longevity, is a lot more than ten generations) had elapsed since the Deuteronomic legislation, and when the inimical nation in question had effectively ceased to exist— let alone to be inimical— at the hands of the Maccabees more than two centuries before his own time?

Rabbi Joshua's brilliantly creative responses to Rabban GamliEil are an inspiration to us, because they offer a creative way of sidestepping history to affirm “that was then; this is now” as a mechanism for inclusion in our “Big Tent.” Bringing the same fast-forward dynamic to bear with an inexact, but nonetheless relatively salient, parallel:

- Rabbi Joshua asserted then that the identity of a formerly inimical people was effaced over time by the scattering and comingling of that nation under Assyrian conquest;
- we assert now that the dynamic governmental leaders actively opposing bigotry and racism in Germany today, having embraced and owned the lesson of history, are not the same people who in their grandparents' generation institutionalized bigotry and racism as state policy.

In those terms, how long do you choose to reject; to exclude; to harbor hatred in your heart— at all, let alone in the interests of a misplaced continuity that undermines your group integrity rather than building it up? How do you aspire to the ethical principle of לא-תקם ולא-תטר אַת-בְּנֵי עַמֶּךָ (Leviticus 19:18), when the “member of your people” you are bearing a grudge against used to be someone else... but most pointedly isn't now?

---

**B'rachot 29a** - February 01, 2020

טעה בכל הברכות כלן אין מעלין אותו

If [the worship leader chanting the liturgy] erred in any of the other Eighteen Benedictions, they do not make him step down from the *bimah*;

בברכת המינים מעלין אותו חיישינן שמא מין הוא שאני שמואל הקטן דאיהו תקנה  
but if [he makes such a mistake] in the curse of the heretical sectarians [= the twelfth of the Eighteen Benedictions, אַל תְּהִי תְּקוּהָה], he is removed— we then suspect he himself might be a heretical sectarian. Sh'muEil the Lesser [once erred in reciting it,

yet they did not remove him. But that is because he] is in a different category, for it was he who instituted that prayer.

I have a very soft spot in my heart for this tradition about cutting the worship-leader a little slack.

All else being equal, I have found it useful when coaching *Bar-* and *Bat-Mitzvah* candidates with performance anxiety— especially those to whom some well-intentioned but misguided jerk of a bystander has asserted the irrelevance of the whole endeavor by telling the child: “don’t worry about it, if you mess up no one will know the difference.” (In urging that particular color-commentator not to sell our worship circle short, you’ve got to find a nice way to chastise them: after all the Holiness Code in Leviticus 19:18 says not only *אֶת-עִמִּיתְךָ* but also *תְּשֵׂא עָלָיו חֲטָא*). Then I reassure the kid: “of course the members of the Congregation will notice if you misread something. But not only will they make every allowance for your being new at this, they will love you all the more for your courage in getting up to the plate to show you’re truly One Of Us.”



I particularly appreciate it when my own occasional hiccups in worship-conduct take place in the presence of our youngsters, because that constitutes the most reassuring reassurance of all: “see, even the rabbi occasionally messes up!” My most spectacular “Liturgy Fail” took place when a group of sterling teen leaders from all over the Southeast United States invited me to lead them in *קידוש ליל שבת*, and having got as far as *בּוֹרָא פְּרִי הַגֶּפֶן* I couldn’t, for the life of me, remember what came next.

---

**B’rachot 30a** - February 02, 2020

והיכי מצלי לה

How is one to recite [the Traveler’s Prayer (“*ייהי רצון מלפניך שתולכנו לשלום*”)]?

רב חסדא אמר מעומד

Rav Chisda said, while standing still;

רב ששת אמר אפילו מהלך

Rav Sheishet said, even while already underway.

I would have to conclude that in this case *הלכה כרב ששת*, based on the numerous occasions I have been aboard a commercial flight where an observant seatmate or other fellow passenger nearby made occasion to recite *תפילת הדרך* during taxi and take-off.

In view of the disconcerting roar of the jet engines at that preliminary stage of the flight; the associated shuddering of the airplane fuselage (intimating the prospect of an overhead bin popping open and dumping someone’s footlocker on your head); the whining and bumping and thumping of the hydraulics; and the statistical likelihood of bird-strike, or other aviation accident, happening that close to the ground, it seems to me that the *קבע* of our prescribed prayer fervently requesting *למחוז חפצנו...ותצילנו...מכל מיני פורעניות* (“bring us to our destination in peace, having spared us from any kind of disaster”) has its own *כוונה* built in.



So next time you fly, think kindly of Rav Sheishet.

---

כמה הלכתא גברוותא איכא למשמע מהני קראי דחנה

How many very important rules there are, derived from these Scriptural verses about Chanah! [including, *inter alia*, this one:]

נתען חנה ותאמר לא אדני אמר עולא ואיתימא רבי יוסי ברבי חנינא אמרה ליה  
לא אדון אתה לאו איכא שכינה ורוח הקודש גבך שדנתני לכף חובה ולא דנתני  
לכף זכות

“Then Chanah replied: ‘No, my lord’” [Samuel 1:15. Inasmuch as this two-word phrase can also legitimately be read as “not my lord,”] Rabbi ‘Ulla— although there are some who say it was Rabbi Yossi, citing a tradition he learned from Rabbi Chanina— says she was telling him: “You are no lord, for the *Shechinah* and the holy spirit are not within you when you judge me so harshly rather than giving me the benefit of the doubt.”

“Benefit of the doubt” is conveyed by the idiom כף זכות “the cup of merit.” Inasmuch as that characterizes one of the two pans of an old-fashioned balance, when *Pirquei Avot* [1:6] admonishes



rabbis כף זכות לך האדם כל את דן הוא it is a summons to put our thumb on the scales, skewing the balance to the credit of others. In general, as Hannah is said to have invoked it in the rabbinic midrash here, כף זכות “the benefit of the doubt” means not assuming the worst about people on first glance; in the legal setting Joshua ben-P’rachYah refers to in *Avot*, in particular, it describes the obligation for the presiding judge to proceed from an initial presumption of “innocent-until-proven-guilty”; and in broader terms, as operational

guideline for rabbinic legislation it directs a תלמיד חכם to issue a permissive ruling whenever circumstances and a legitimate construction of the facts at hand justify doing so.

This is significant because we do in fact see an exercise of כף זכות in the constitutional tendency of the Tanna’im, when pondering two or more possible interpretations of a situation, to adopt almost invariably the more lenient and least demanding alternative. Having established early on the governing principle that the burden of עול המצות should never be made unnecessarily onerous, our long-ago colleagues tend to “tip the scales” towards liberalism whenever possible, and seldom prohibit anything without compelling reason. When it comes to being a hard-liner— adopting a needless stringency to protect people from themselves (per B’rachot 2a, כדי להרחיק את האדם מן העבירה), or to spotlight one’s own reputation for piety as a Defender Of The Faith— any idiot can gratuitously say “no”; it takes a true rabbinic scholar to find legitimate room within our Tradition to say “yes.”

ואמר רבי אלעזר גדולה תענית יותר מן הצדקה

Rabbi El’Azar moreover said that the self-deprivation of fasting is greater than charitable giving.

מאי טעמא זה בגופו וזה בממונו

For what reason? It is from his own body, whereas the other only involves his wealth.

“Putting your money where your mouth is” is the classic cliché about standing behind our convictions. Yet when it comes to addressing a compelling social issue, money won’t suffice; nothing less than our direct hands-on physical involvement will do. Certainly our financial contribution, as a gesture of moral support, is appreciated and may even be helpful. Nonetheless, the fact remains that in the

larger scope of things throwing a little money in the pot is in the same category with “thoughts and prayers”: a frankly minimalist gesture that, even while expressing a measure of compassion, nonetheless ultimately abdicates rather than exercises our moral responsibility.

Anecdote (or, as we Talmudic types prefer to say, מעשה): after Martin Luther King was murdered in Spring of 1968, Hollywood writer, producer, and director Hal Kanter— a long-time activist for social causes, who was a regular attender and major donor at the annual banquets of the ACLU and NAACP— decided that in order to help address the persistent problem of racial injustice in America he would need to do more than simply write another check. So he created and produced a new television program for that Fall season.

*Julia* was an engaging entertainment featuring Diahann Carroll as a young Vietnam War widow working as the office nurse for a crusty small-town doctor. Besides being a popular and commercially successful program that ran for three seasons, *Julia* made broadcast history as the first television series ever to feature an African-American as its central character—and was as such the first time many of our fellow citizens had the experience of getting to know (however virtually) a person of color, right there in their own living rooms.



This watershed moment in our nation’s cultural and social history happened because one person in a unique position to effect change chose not to take the relatively easy “out” of צדקה, making a cash donation and walking away. Instead Hal Kanter chose the “בגופו” alternative of personal involvement, investing his own capital in production; defiantly invoking his credentials to deflect industry objections; and calling in decades of markers to overcome network opposition and get his show on the air. Seems he was of the school of Rabbi El’Azar.

---

**B’rachot 33a** - February 05, 2020

אמר ליה בתחילה קבעוה בתפלה

[Rabbi YoChanan] said: “initially [the members of the Great Assembly] affixed [*Havdalah*] in the middle of the *T’fillah*.

העשירו קבעוה על הכוס הענו חזרו וקבעוה בתפלה והם אמרו המבדיל בתפלה צריך שיבדיל על הכוס

When they became affluent, they fixed [*Havdalah* as a separate suite of benedictions to be recited over] a cup [of wine]; when their fortunes dwindled, they put it back in the *T’fillah*, decreeing that anyone who has recited “...*haMavdil*...” during the *T’fillah* is obligated to recite “...*haMavdil*...” [subsequently over] a cup [of wine].

We are so accustomed to performing *Havdalah* as a discrete worship experience, that it seems a trifle jarring to know that initially it was an integral component within the *T’fillah* at ממעריב on Saturday night. If we can step back a bit, though, that original practice actually makes perfect sense.

As Heschel notes, in his book about Shabbat, “Judaism is a religion of time aiming at the sanctification of time.” So it is that our recitation of תפילה, which is the central component of our liturgy and the substantial core of our worship service, incorporates a recognition of several chronological milestones on both a monthly and once-a-year basis. Clearly the legislators of The Great Assembly reasoned that, having already instituted ויבוא recited in עבודה for both *Rosh Chodesh* and *Chol ha-Mo’eid*, and על הנסים read as part of הודאה during both Chanukah and Purim, why not a corresponding acknowledgement of a new weekly cycle on מוצאי-שבת, as well?

Equally intriguing is the cultural insight into the role of wine, which emerges from the social and economic history Rabbi YoChanan mentions in passing. Historians concur that viniculture originated in the southern Levant; as such while in the Biblical era wine was a costly and sought-after luxury import in Egypt to the West and Mesopotamia to the East, within Israel it was a readily available local commodity and a dietary staple (see *inter alia* Genesis 14:18 and 27:25, and Joshua 9:13). However Rabbi YoChanan's passing reference in this present **אֶסוּגִינָא** lets us know that by the Greco-Roman era wine had become a relative extravagance in our part of the world, attainable to the majority of the populace only in a period of strong economic growth.



That insight substantiates the innovation whereby the cup of wine became the focus of *Havdalah* as a discrete ritual, separate from the **מַעְרִיב** recitation of the Eighteen Benedictions. Just as the indulgence of a cup of wine is an appropriately regal instrumental means of welcoming the Queen of Days at **קִידוּשׁ לַיִל-שַׁבָּת**, it satisfies our sense of proportion to see her off with a valedictory benediction over a brimming **בַּעֲכֶר** 25 hours later. Our long-ago sages taught us to draw a curtain of holiness around our sacred time, invoking the sweetness and richness of a luxurious drink as a metaphor for the sweetness and richness of the day, and of the luxury of enjoying a period of leisure and uplift.

**B'rachot 34b** - February 06, 2020

תנו רבנן קידה על אפים שנאמר ונתקד בת-שבע אפים ארץ

Our Mishnaic sages have taught: “bowing” [referenced in Scripture] is face down on the ground— even as it is said: “Then Bat-Sheva bowed with her face to the ground” [I Kings 1:31].

כריעה על ברכים שנאמר מפרע על-ברכיו

“Kneeling” [referenced in Scripture] is upon the knees— even as it is said: “[then Solomon arose before the Altar] from having been kneeling on his knees” [I Kings 8:54].

השתחוואה זו פשוט ידים ורגלים שנאמר הבוא הבוא אָנִי וְאִמִּי וְאֶחָיִךָ לְהִשְׁתַּחֲוֹת לְךָ אֶרְצָה

“Laying low” [referenced in Scripture] is stretching out the hands and feet— even as it is said: “Shall I and your mother and brothers come to lay ourselves low before you on the ground?” [Genesis 37:10].

This discourse about body language as prayer-dance is to some degree a long-delayed amplification on the earlier conversation on 12a in which Rav Sheishet noted **כִּי כָרַע כַּחֲזִירָא** “when bowing, arch the back like a serpent.” But the fact that he invoked that simile using the Aramaic **חִזִּירָא** instead of the Hebrew **חֲזַנַחֲשׁ** highlights the underlying reason for the philological excursus on our present *daf*. Putting aside the central fact that **חז"ל**, as the judicial branch of the People of Israel, are tasked with determining the definitive construction of Biblical terms, there is the comprehensive consideration that they have the scholarly challenge of reading text in Hebrew, while thinking and talking in an altogether different language which is their everyday vernacular— precisely like you and I.

This passage is also compelling, because it substantiates that there was a time with our forebears demonstrated their humble service to God by kneeling at worship (the way Christians came to do), as well as prostrating themselves face-down, as became the Muslim practice. Yet we pointedly relin-

quished these devotional gestures of body-language, once they were appropriated by our respective daughter religions in the 2<sup>nd</sup> and 7<sup>th</sup> centuries. Such a decision may be viewed after-the-fact as a gracious accommodation allowing our now-sister-faiths to grow into their own, but at the time this executive decision was intended to protect our own integrity by precluding any confusion about which sect of ethical monotheism was which.



We of course still invoke in our liturgy numerous allusions to our former mode of prayer-dance— most conspicuously in ‘*Aleinu*, וּמִשְׁתַּחֲוִים וּמוֹדִים; but we no longer follow through by actually performing the actions thus described, except in the most minimal and purely vestigial sense. Maimonides, an eyewitness to the triumphalist savagery as the kneelers and the prostraters butchered each other during both the Third and Fourth Crusades, asserts that by contrast authentic Jewish prayer involves only a symbolic form of “bowing” that barely opens up the spinal vertebrae enough to arch the back slightly (כַּשֶּׁתּוֹ - יכרע עד שיתפקקו כל חליות שבשדרה ויעשה עצמו כקשת) - *YaD*, T’fillah 5:12). Not only does Caro reiterate that *verbatim* in his own law code, but he adds the qualifier ולא יכרע באמצע מתניו וראשו (Shulchan Aruch, Orach Chayim 113:4). The intimation is that, however ancient and authentic the practice may be, under the category of דיבור במקום מעשה the earnest invocation of bowing low counts as a much more than symbolic performance of the action in question... and that, in Caro-esque terms, we can and should very literally hold our heads high.

**B’rachot 35b** - February 07, 2020

אמר רבי חנינא בר פפא כל הנהנה מן העולם הזה בלא ברכה כאילו גוזל להקדוש  
ברוך הוא

Rabbi Chanina bar Papa said that anyone who derives personal enjoyment of anything in this world, without having recited the appropriate benediction, is like a robber who has stolen from The Holy And Blessed One.

The previous page already invoked a Tannaitic tradition to the effect that benefitting from anything without pronouncing the appropriate ברכת הנהנים constitutes מעילה. That term, which in the broadest sense denotes “fraud” or “embezzlement,” is used in rabbinical literature (especially in the eponymous Tractate *Me’ilah*) to signify “sacrilege,” in the form of appropriation for personal benefit of something designated as sacred property earmarked for God’s Own use.

It is that theological nuance which prompts Rabbi Chanina to reject and refine here that earlier teaching from the prior page. That is because the sages’ opinion there is far too limiting: in the literal



cultic sense, eating an apple is only מעילה if the piece of fruit in question was filched from a wagon bearing a designated tenth of the harvest to the Jerusalem Temple. By contrast, Chanina asserts that— with or without the Temple, whether in ארץ ישראל or anywhere else on God’s green earth— enjoying an apple without first acknowledging the One Who caused it to grow on the tree constitutes petty theft, as an extension of the consciousness שלו ושלך שאתה ושלך (Avot 3:7). Our Creator may have formed all the good things of the earth for our pleasure and benefit, yet disrespectfully dipping into the cookie-jar without license sullies our trusting relationship with the One Who baked them.

It is in those terms that, by retooling the purely theological penalty of the Tanna’im into a compre-

hensive principle of relationship ethics, Chanina has enriched and enhanced our connection to our Covenant Partner by making our ties to **אדון עולם** much more immediate and personal.

---

**B'rachot 36a** - February 08, 2020

קמחא דחיטי רב יהודה אמר בורא פרי האדמה ורב נחמן אמר שהכל נהיה בדברו  
Over wheaten flour Rab Judah says that the blessing is "...Who creates the fruit of the earth," while R. Nahman says it is, "...by Whose word all things exist."

אמר ליה רבא לרב נחמן לא תפלוג עליה דרב יהודה דרבי יוחנן ושמואל קיימי  
כוותיה דאמר רב יהודה אמר שמואל שמן זית מברכין עליו בורא פרי העץ אלמא  
אף על גב דאשתני במלתיה קאי הא נמי אף על גב דאשתני במלתיה קאי

Said Raba to R. Nahman: Don't debate this point with Rav Judah, since Rabbi YoChanan [as the most influential **אמורא דארץ ישראל**] and Sh'muEil [who, as **ראש-שיבה** in Nahardea, is the foremost **אמורא** in Babylon] would concur with him. [Both of them taught] that the blessing said over olive oil is "...Who creates the fruit of the tree," which demonstrates that it is fundamentally the same in spite of having been somewhat transformed. [In the case of wheat flour], as well, in spite of having been transformed it is in essence still the same.

There's no accounting for personal taste, let alone for reconstructing what may have been normal culinary practices in 3<sup>rd</sup>-century Iraq, but I am hard-pressed to visualize anyone eating raw flour. If in fact you are going to ingest the proverbial "staff of life," just by itself, then **בורא פרי האדמה** would indeed be the correct benediction. However, in the case under discussion the operative term **אשתני** applies only to the kernels of wheat ground into flour; any "transformation" more involved than that brings about a different reality: once flour has been mixed and kneaded and baked (into anything from tortillas to pizza to birthday cake), that change of status takes it from being "fruit of the earth" into the classification of **לחם** "bread" or **מזונות** "provender," with a change of benediction accordingly.

All of which points to the rabbinical concept underlying the present discussion about olive oil not being the same as olives: **שינוי**, an instrumental change which essentially alters one thing into another. This becomes an important mechanism when, for example, defining in **שביעית** **מסכת שביעית** which of the numerous necessary tasks associated with agricultural productivity do not violate the Sabbatical-year legislation in Leviticus 25— by virtue of not involving plowing or sowing, it's technically not "working the soil"; it's Something Else. Similarly, **שינוי** is the means enabling Hillel to preserve the integrity of the Torah within the cash-based urban economy of the Roman era by instituting the legal fiction of the **פרוסבול**— it's not a private debt, dissolved by **שנת השמיטה** in compliance with Deuteronomy 15; it's Something Else.

The consideration of **אשתני** "transformation" enters into practical questions of *kashrut*, as well. Although adding cow tripe to the vat of milk to congeal curds for cheese-making clearly compromises the traditional Jewish segregation of dairy products and meat, for a long time there were Orthodox **פוסקים** who took the lenient position that rennet extracted from the tripe could be added— provided that the animal furnishing the stomach in question had been properly slaughtered, which I turn broached the circular conundrum of why it mattered for the cow to be kosher. The very fact that it was all right to add the extracted enzyme to the milk signified that the rennet in question was no longer **פליישיק**; it's Something Else. A similar consideration is going to be broached by our rabbinical colleagues confronting the new emerging technologies that grow virtual meat in the laboratory from muscle and fat cells multiplying in a stainless-steel fermentation vat— is that ingestible protein still



פליישיק, or has the process of generating it so thoroughly altered its constitution that it has become Something Else (which, by virtue of being *pareve*, can be sautéed in butter or topped with cheese)?

Closer to home, in human terms, there are ethical applications of אשתני “transformation” in the social sciences. Back around 1972 there was a *responsum* published in נועם, the *halachah* quarterly of the Chief Rabbinate in Jerusalem, regarding the question of whether a man who had undergone gender reassignment was still obligated to dissolve his ties to his former wife by issuing her a גט. Surprisingly, the Talmudist writing the opinion bypassed the considerations of the husband’s marital obligation כדת משה וישראל; the social contract committing him to the welfare of his still-a-wife; and the liability of that woman’s being *ipso facto* rendered an עגונה. He ruled that no גט was required. Even more surprising, the basis for this decision was his assertion that the formerly male principal in this case now constituted what the פוסק characterized as בריאה חדשה “a new creature”—they’re no longer the husband she had been married to; they’re now Someone Else.

All of which is, admittedly, a very long way from wheat flour. But the broad array of all these considerations, and of the creatively flexible protocols responding to them, serves to highlight why our sages refer to Torah as עץ חיים, with its defining parameters being a סייג “hedge” rather than a brick wall. Jewish civilization is a dynamic organism more than thirty centuries old, which is characterized precisely by the mechanism of אשתני “transformation.” Anchored and nourished by deeply planted taproots, we are constantly growing and adapting and bearing new fruit (over each of which we happen to know the correct benediction...).

---

**B’rachot 37a** - February 09, 2020

תניא רבי יוחנן בן נורי אומר אורז מין דגן הוא וחייבין על חמוצו כרת ואדם יוצא  
בו ידי חובתו בפסח

It is a teaching of our Mishnaic sages that Rabbi YoChanan ben-Nuri says rice is a species of grain, which makes one liable for excision [per Exodus 12:15] by virtue of its liability to become *chameitz*, whereas one can fulfill the Passover obligation [by eating *matzah* made of it].

As it develops, the Mishnaic sages in question preserved Rabbi YoChanan’s opinion on this subject of rice, but did not concur with it. P’sachim 2:5 records the Tanna’itic consensus that only the five locally established species of grain—wheat, barley, spelt, rye, and oats—count as מִקְצֵת.

Compared to those grains, which were a standard part of the Israelite diet since before there was an Israel, the fact that the Hebrew word for rice אורז is a loan from ancient Greek *ωρριζα* testifies to this nourishing and useful foodstuff being a Johnny-come-lately in our part of the world. An east Asian import, rice was not propagated in Israel until Alexander the Great brought it to the Mediterranean basin from India at the tail end of the 4<sup>th</sup> century BCE. By virtue of its being a relatively late arrival, it required taxonomic evaluation by the Tanna’im in order to extrapolate a Torah ruling based on legitimate parallels to existing precedents.



Our rabbinical sages did the same with chicken, which arrived in our part of the world around the time the Northern Kingdom of Israel was taken away into Assyrian exile in the 8<sup>th</sup> century BCE. Later rabbinical authorities did the same when “The Columbian Exchange” brought onto the menu New World foods such as tomatoes and squash and turkey and avocado and chocolate. And we rabbinical sages today continue to do the same, thoughtfully generating authentic Jewish responses

to new circumstances as they arise. (Case in point: regarding the 1982 suggestion of the U.S. Agency for International Development that the *babyrusa* should be widely propagated as a source of meat protein, the consensus among halachic authorities was that, in spite of being a cloven-hoofed ruminant complying with both requirements in Leviticus 11:3, the Indonesian “deer-pig” is still a swine— so, no).

All of which matters, in that the 2<sup>nd</sup>-century discussion about rice on our present *daf* serves to highlight once more the breadth of Tannaitic and Amoraic intellectualism that prompted Abram Sachar (in 1956’s *Great Ages and Ideas of the Jewish People*) to summarize all of rabbinic thought in three words: “liberal and eclectic.” I have often told my congregants and students: “You may not happen to like, agree with, or be willing to be governed by the answer... but you can ask the rabbi anything!”

---

**B’rachot 38a** - February 10, 2020

תנו רבנן מה הוא אומר המוציא לחם מן הארץ

Our Mishnaic sages have taught: what does one say? “Hamotzi lechem min ha-aretz”;

רבי נחמיה אומר מוציא לחם מן הארץ

Rabbi N’chemYah says it should be “Motzi lechem min ha-aretz.”

Bread is a unique form of sustenance, in that it represents the prototypical partnership between God’s Making and our own. As such, grain processed into dough and baked has held a special place in the consciousness of our people since fabulous antiquity (as evidenced by the fact that the Semitic term לחם, signifying “food” in the broadest sense, specifically designates “meat” in Arabic לחوم and “water” in Akkadian 𐎠𐎢𐎩, but “bread” in Hebrew). So it is that our sages of antiquity regard bread as being in a category all its own, calling for a benediction distinct from the generic liturgical formula recited over all other edible products of the soil. In that sense, the liturgical formula בורא פרי is incidental, comprehensive, and passive (at least insofar as the fruit that was created in question is concerned); מוציא, by contrast, is purposeful, specific, and very active indeed.

RaSHI helpfully explains the nuance of the dissenting minority opinion in our present passage:

רבי נחמיה סבר דמפיק משמע שעתיד להוציא

Rabbi N’chemYah reasons that [God] brings forth, which teaches that [God] will in the future continue bringing forth.

In other words the participle מוציא is a gerund, affirming our trusting reliance on ongoing Divine Providence by the One Who is constantly on-duty to see to it that food continues to spring forth for us from the earth. It is an expression of our grateful conviction that the natural order will remain uninterrupted, and that the staff of life will never be broken, in keeping with the promise to the children of No’ach after the Flood:

עד כָּל-יְמֵי הָאָרֶץ זָרַע וְקָצִיר וְקָרָה וְחָרֵף וְיוֹם וְלַיְלָה לֹא יִשְׁבְּתוּ

so long as the earth endures, sowing and harvest; cold and heat; Summer and Winter; day and night, will never cease [Genesis 8:22].

As reassuring as that concept is, it nonetheless stands in contrast to the rationale underlying the slightly different liturgical formula for our benediction as adopted by the Tanna’im. By virtue of adding the definite article ה, the rabbis have turned the participle מוציא from a gerund into a proper noun, thereby defining God in comprehensive terms as הַמוֹצִיא “the One Who brings forth.” That is a small change, but a huge distinction. It affirms, in terms of the physical world, the fundamental difference between seeing the productive capability of the soil as an essential attribute permanently endowed by its Creator, as opposed to an externally imposed mechanism in need of constant maintenance and management. In those terms there is a vast and compelling theological gulf between our understand-

ing of God as a Keebler elf, who needs to continue baking new batches of cookies for us, and as בורא את הכל, the Source and one-time Originator of the earth's constitutional ability to go on producing food indefinitely.



That latter perspective is institutionalized by the Tannaitic consensus about the formulation for this blessing, since המוציא not only alludes to but actively invokes the Creation account:

וַיֹּאמֶר אֱלֹהִים תְּדַשָּׂא הָאָרֶץ דָּשָׂא... וַתּוֹצֵא הָאָרֶץ דָּשָׂא עֵשֶׂב מִזְרִיעַ זֶרַע לְמִינֵהוּ

Then God declared: "Let the earth produce greenery". . .

**whereupon the earth brought forth** greenery, numerous species of grasses bearing their seed [for their own future pro-pagation - Genesis 1:11-12].

Long before the rabbis, King David had similarly invoked the same Divinely-ordained mechanism of food production in his devotional poem praising God as the One Who

מִצְמִיחַ הַצֵּיִר לְבִהְמָה וְעֵשֶׂב לְעִבְדַת הָאָדָם לְהוֹצִיא לָהֶם מִן-הָאָרֶץ

sprouts forth forage for the livestock, and greenery for the benefit of humanity, **to bring forth food from the earth** [Psalm 104:14].

Two points determine a line; three, a plane. So it is that the theology of Ongoing Providence from a one-off act of Creation at the other end of history— a belief established in the opening chapter of the Torah and affirmed in David's Psalm— is institutionalized by our long-ago sages on our present *daf* in the form of the now-familiar benediction we recite daily.

---

**B'rachot 39a** - February 11, 2020

מי סברת כזית גדול בעינן כזית בינוני בעינן

[When we speak of something being measured in terms of an olive's-bulk,] who concluded that it has to be a jumbo olive? The matter at hand applies only to a medium-sized olive.

והא איכא וההוא דאייתו לקמיה דרבי יוחנן זית גדול הוה דאף על גב דשקלוה לגרעינותיה פש ליה שיעורא

For the one they brought before Rabbi YoChanan had been a large olive, until its pit was removed, at which point it constituted the proper volume.

Every time I encounter a rabbinic discussion about small quantities of volume being measured in terms of respectively כזית or כביצה, it evokes like a Pavlovian reflex the memory of my Talmud professor, the estimable Alexander Guttmann, who used to remark in seminar: "There really isn't that much difference; in those days the olives were bigger than they are today, and the eggs were smaller."

---

**B'rachot 40a** - February 12, 2020

אמר רבא בר שמואל משום רבי חייא אין הבוצע רשאי לבצוע עד שיביאו מלח או לפתן לפני כל אחד ואחד

Rabba bar-Sh'muEil said, in the name of Rabbi Chiyah, that one who is about to break the loaf is not allowed to do so until everyone present has been presented with salt or some other condiment [in which to dip it].

רבא בר שמואל אקלע לבי ריש גלותא אפיקו ליה ריפתא ובצע להדיא אמרו ליה הדר מר משמעתיא אמר להו לית דין צריך בשש

Rabba bar-Sh'muEil was once a guest at the home of the Exilarch [Mar 'Uqban], before

whom they brought a loaf, which he immediately broke [to begin the meal, without waiting for the accompanying condiment to be served]. Those present said to him: “Has the Master recanted his own teaching?” He told them: “This loaf doesn’t need any seasoning.”

Just as the rabbis regard worship as a surrogate for sacrificial offerings (תפלה במקום קרבן היא – B’rachot 26a), so too do they view the table as a conceptual and spiritual counterpart to the Altar for our מְמַלְכֵת פְּהַנִּים וְגוֹי קְדוֹשׁ. Since in those terms the bread which is the epitome of food *par excellence* corresponds to the *Minchah* grain-offering, it stands to reason that the salt which was a ceremonial component of the *Minchah* on the Altar is accordingly going to feature at the dinner table as well.



However, there is a practical limit to the symbolic correlation: our mealtime table is only a conceptual tie to, but not an actual replication of, מְזַבַּח and to what was done thereon. As such, the salt which was an indispensable requirement of the grain-offering on the Altar (לֹא תִשְׁבֵּית מֶלַח בְּרִית אֱלֹהֶיךָ מֵעַל מִנְחֹתֶיךָ - Leviticus 2:13), is at meal-time only an optional accessory. RaSHI—who as a Frenchman from the wine district of Champagne certainly knew how to appreciate good food—in his comment on this present passage emphasizes that salt for reciting הַמּוֹצֵיא is optional if the bread is flavorful (פְּרוּסָה שֶׁל בְּרַכָּה נֹאכֶלֶת (בְּטַעַם), and that the Exilarch in our anecdote waived the requirement of salt to inaugurate his meal because the loaf in question was an inherently flavorful one (פֶּת נִקְיָה הִיא זֶה). That perspective is institutionalized by Yosef Caro:

ואם היא נקיה או שהיא מתובלת בתבלין או במלח כעין שלנו אינו צריך להמתין

If the slice is flavorful, or if it is seasoned with spices and salt as our own is today, one does not need to postpone [until the arrival of salt or other seasoning - *Shulchan Aruch*, Orach Chayim 167:5].

Everything that is mentioned in our Talmudic anecdote is back in vogue today, in the current culinary trend of bread-dipping. Instead of simply serving a preliminary “filler” course of bread-and-butter, most nicer restaurants now put out bread with upscale מֶלַח (smoked, pink Himalayan, or black); בֶּשֶׁשׁ (crushed pepper or other herbs chopped fine); and לֶפְתָּן (any of the above compounded into a paste with oil—and if you reflexively think in terms of tangy *chumus bi-t’hini*, feel free). But as nice as any of those may be, as a culinary experience enhancing our enjoyment of the bread, they all serve merely as an incidental accessory to the well-seasoned and well-baked bread itself.

The same is true for the poetic and spiritual counterparts that make The Table an at least symbolic evocation of The Altar. Because the bottom line is that יֵשׁ גְּבוּל, and as such our present text is a valuable lesson in priorities and a sense of proportion.

**B’rachot 41a** - February 13, 2020

אמר עולא מחלוקת בשברכותיהן שוות

‘Ulla says that the difference of opinion in this case is a result of the respective species of food being served being of the same ranking—

דברי יהודה סבר מין שבעה עדיף ורבנן סברי מין חביב עדיף

for Rabbi Judah reasons that The Seven Species [in Deuteronomy 8:8, by virtue of being specified as hallmarks of the blessings of the Promised Land] take precedence, while the

other sages consider that the highest-ranking kind of food [currently being served at that meal] should take precedence.

The reference here to one food being **הביב** (more valued than) or **עדיף** (taking precedence over) another invokes more explicitly a hierarchical ranking that has hitherto been only alluded to in the last several *dapim*. Couched in mathematical terms of  $A > B$ ,

- bread **המוציא** outranks other baked goods **מזונות**;
- baked goods **מזונות** take precedence over raw grain, and over any other kind of produce of the soil **פרי האדמה**;
- anything growing in or on the ground, or sprouting on a shrub or bush, **פרי האדמה** outranks wine **פרי הגפן**;
- wine **פרי הגפן** outranks anything growing on a tree **פרי העץ**;
- and anything growing on a tree **פרי העץ** outranks processed plant products such as oil or juice, or those foods and beverages such as meat and water and milk which were not propagated in the first place, any and all of which fall by default under the comprehensive (and frankly generic) benediction **שהכל**.

That ranking is significant, in conceptual terms, in that it reinforces the affinity that human creatures formed of **מִן-הָאֲדָמָה** (Genesis 2:7) have with the soil from which we were created. Given the duality in Genesis 1:1 between **הָאָרֶץ** and **הַשָּׁמַיִם**, we would expect the psychology of religion to give precedence to anything that elevates us to a higher level of consciousness— above what Luzzatto calls our constraining **גשמיות** “earthiness”— and, as such, should give preference in ranking to those foods that grow farthest from the soil, up in the treetops. So it is intriguing that the spiritual consciousness of Judaism takes precisely the opposite approach, affirming higher meaning from that which is in both geographical and spatial terms lower down.

The other consideration about this passage is that it serves as a benchmark by which to measure the ongoing growth of Jewish ritual practice. The discussion here of the hierarchy of foods appears at first to proceed from the assumption of our second-century Amora'im that a pious Jew sitting down to supper is expected to rank everything on the table in terms of its relative spiritual significance, and then proceed to offer a separate **ברכת נהנים** over each respective meal component. After **נטילת ידים** you would reverently recite first **המוציא** for the bread; then a triple-header **פרי האדמה** (first for the baked potato, which grows in the soil, repeated for the horseradish, ditto, and then reprised once more for the string beans growing on a bush above the ground); a **פרי הגפן** for the Pinot Noir accompanying



the meal; and finally one **על הכל** each for the rib-eye roast which is the main course, the mayonnaise blended into the horseradish sauce, and the glass of water so that the wine won't go to your head. Doing all of which demonstrates exemplary piety, except for the inconvenient fact that, in the course of all this repetitive blessing-saying, the dinner grows so cold that there ain't much **נהנים** left to be grateful for.

Instead, the question of hierarchy in these *dapim* becomes the engine driving the logical development of our far more common-sense normative practice. Reciting the appropriate benediction over the highest-ranking food present (generally by definition and by default our **להם**) applies *pars pro toto* to all the conceptually lesser foods on the same table, after which we proceed to enjoy God's bounties while the food is still hot. That principle of conduct is identified here as the consensus of the Tanna'im (**מין הביב עדיף** “the highest-ranking food should take precedence”), and will be formal-

ized in Mishnah B'rachot 6:7 (כל שהוא עקר ועמו טפלה מברך על העקר ופותר את הטפלה), which is coming up around the corner on *daf* 44a.

---

**B'rachot 42a** - February 14, 2020

רב פפא איקלע לבי רב הונא בריה דרב נתן בתר דגמר סעודתייהו אייתו לקמייהו  
מידי למיכל שקל רב פפא וקא אכיל

Rav Pappa dropped by the home of Rav Huna, the son of Rav Natan. After they had already concluded their meal together, something else to eat was brought out, and Rav Pappa took some and ate it.

אמרי ליה לא סבר לה מר גמר אסור מלאכול אמר להו סלק אתמר

They said to him: “Was the Master not of the opinion that, having finished [a meal], it is not permitted to eat anything else [without offering a new benediction over it]?” He told them: “That presumes that the table has been removed.”

In cultural terms, this is a reminder that not every human society makes use of tables, and that even those that do often live in homes too small to leave them set up except when they are needed at mealtime (see my January 27 posting in this group on B'rachot 24a, adducing the Prologue to Chaucer's *Canterbury Tales*).

In ritual terms, this anecdote serves to establish that an extended meal may have “rest time” hiatus between one course and another, but still counts as the same meal. Intimation is that you don't need to offer a new *שהכל* every time the restaurant server refills your coffee cup, nor to *bentsch* מזונות over the post-prandial coffee and cake your hosts serve in their living room because it is a continuation of the supper enjoyed earlier in their dining room (inaugurated, we presume, with a timely *המוציא*).

I invoked this principle on an El Al nonstop coming home to Miami from Tel Aviv last Spring. After the cabin attendant passed by with a tray of water, the developmentally disabled (and as such boundary-less) *חרדי* teen who was my seatmate remarked that in accepting one of those cups I had neglected to recite *שהכל* before sipping from it. I pointed out to him that this beverage was merely a continuation of the earlier meal service, and as such in halachic terms constituted *שתיה אחת*. To which I suppose I could have added Rav Pappa's rationale about *סלק אתמר*, inasmuch as (by virtue of the pull-up or fold-down trays being permanently mounted into the passengers' seats) aboard a commercial airliner they never “remove the tables”!



---

**B'rachot 43b** - February 15, 2020

נוח לו לאדם שיפיל עצמו לתוך כבשן האש ואל ילבין פני חברו ברבים

Better for a person to hurl himself into a fiery furnace than to humiliate another person in public.

מנלן מתמר שנאמר הוּא מוֹצֵאת וגו'

Whence do we learn this? From Tamar, of whom it is said in Scripture: “she brought out [the articles and sent them to Judah, saying: ‘it was by the man whose these are that I was impregnated...’” - Genesis 38:25].

Our rabbinical tradition uses two diametrically opposite metaphors to characterize a person who has

been made the object of public derision.

- In our present case, YoChanan ben-Zakkai invokes הלבנת פנים “whitening of the face” to describe the drawn appearance of an individual gone pale with the shock of humiliation.
- More commonly our sages refer to אידום פנים, “the reddening of the face” as the one embarrassed blushes with shame.

Either way, whether the blood is drawn down from the face or up into it, our sages view this assault on the Divine Image as a form of שפיכת דמים “bloodshed”— the spiritual counterpart to murder, and as such regarded in our ethical tradition as a very serious offense.

To substantiate a lesson on that subject, the drama of Tamar from Genesis 38 constitutes a marvelously creative and thoroughly apt proof-text.

While Judah’s dynamic daughter-in-law is resourceful enough to actualize her natural right to the continuity of the ties binding her to her late husband’s family [Genesis 38:14-18], she is also a com-



passionate and ethical woman more concerned with preventing open humiliation to the father-in-law who wronged her than she is about risking her own death by fire [Genesis 38:24]. So it is that she sends Judah a coded message: the public declaration of guilt is his to make, since his faithlessness is “not her tale to tell.”

In those terms, Judah gets full credit for immediately affirming his daughter-in-law’s innocence by “outing” himself as an oath-breaker who had abandoned a bereft widow [Genesis 38:26]. But even if doing that makes him

the better man, Tamar’s willingness to risk forfeiting her life rather than even virtually “shed the blood” of her father-in-law marks her as by far the better person.

---

**B’rachot 44b** - February 16, 2020

ואמר רבי יצחק כל האוכל ירק קודם ארבע שעות אסור לספר הימנו מאי טעמא  
משום ריחא

Rabbi Yitzchaq also said it is forbidden to enter in conversation with anyone who has eaten [raw] vegetables before 10:00 a.m. For what reason? Because of the smell.

We render “before four hours [have elapsed]” more simply as 10:00 a.m. since in a pre-industrial world that measured time using a sundial dawn is 6:00 a.m. and sunset is 6:00 p.m., regardless of the season.

We are such creatures of habit that we forget that it has not always been normative conduct to eat three regular meals a day. Prior to the Industrial Revolution, if you had the means to eat on a regular basis— let alone any control over your schedule— the normal pattern for most of human history has been two meals daily: one at mid-morning, and one late enough in the afternoon to get the dishes washed before dark. That kind of timeframe is preserved in the Medieval British ditty

*To rise at six,           dine at ten,  
Sup at five,           to bed at ten,  
Makes a man live   ten times ten.*

A similar program is certainly presupposed by RaSHI, who in commenting on our present passage notes of any hour prior to 10:00 a.m. אינו זמן סעודה “[that early in the day] is not yet meal-time.”

Which is where the consideration of ריחא the “smell” comes into the picture. RaSHI is compassionate enough to recognize that people who are hungry before mid-morning, by virtue of not yet having

broken their overnight fast (he sympathetically describes them as רִיקָן (הַגּוֹף רִיקָן), will find it distracting to converse at any length with someone else whose breakfast-breath bears testimony to their having already eaten.



Bear in mind that we are not talking about something as pleasant as Starbucks-dark- roast-breath, or Cinnabon-breath; Rabbi Yitzchaq specifically mentions raw vegetables in our passage because, in the Euphrates River basin until fairly modern times, the first meal of the day could very readily consist in its entirety of a fistful of green onions. You'd cut the conversation short, too.

---

### B'rachot 45a - February 17, 2020

הני מילי אמר רב אסי דאמר קרא גדלו ליהנה אתי ונרוממה שמו יחדו

Where do we get this? Rabbi Assi says: “because Scripture says ‘All of you magnify the Eternal One with me, and let us exalt God’s Name together’ [Psalm 34:4].”

רבי אבהו אמר מהכא כי שם יהנה אקרא הבו גדל לאלהינו

Rabbi AbbaHu says: “from this: ‘When I proclaim the Name of The Eternal One all of you render greatness to our God!’ [Deuteronomy 32:3].”

We will presume that the practice of three constituting a quorum for doing ברכת המזון together was long-established, basing the minimum requirement for being a “קהל” for public worship on a parallel to three judges constituting a בית-דין. As such, the real question here is not why the two contemporaneous late 3<sup>rd</sup>- and early 4<sup>th</sup>-century אמוראי ארץ ישראל are trying to justify the practice בדיעבד, but rather to decide which of them is offering the more convincing אסמכתא.

Each proposed proof-text is clever and creative, consisting of a summons to worshipful celebration adduced from Scripture. And both are couched as an invitation to prayer expressed by one person to a group— which means, specifically for our present purposes, two other people. (Reading רבים as dual is, of course, “default mode” for our sages: plural demonstrates clearly that there is more than one; but, lacking empirical evidence, you can’t construe there being as a many as three). So in theory it’s thus far a tie between the two Biblical quotes.

But whereas Rabbi Assi’s citation from Psalms is couched as a regal summons fitting from King David (אתי . . . גדלו . . . אתי), Abbahu’s selection from Moses’s great song (האזינו הבו גודל) אקרא... is framed more as an invitation from within than an authoritarian command to those without.

In purely stylistic terms, that somehow feels more like “audacious hospitality” when it comes to empowering and involving potential members of your זימון. Add to that stylistic consideration the fact that Deuteronomy 32 is a citation from the Torah, which as a matter of principle far outranks mere devotional poetry from the ג'ד'קבלה, and it seems pretty clear-cut: point, Rabbi AbbaHu.



---

### B'rachot 46a - February 18, 2020

ואיהו כמאן סבירא ליה כי הא דאמר רבי יוחנן משום רבי שמעון בן יוחי בעל



הבית בוצע ואורה מברך בעל הבית בוצע כדי שיבצע בעין יפה ואורה מברך כדי  
שיברך בעל הבית

Which opinion did [Rabbi AbbaHu] adopt? The one said by Rabbi YoChanan on the authority of Rabbi Shim'on bar-YoChai: the host breaks the bread [to begin the meal], and the guest offers the benediction [to conclude it]. The host breaks the bread, so that his generosity may set the tone [for the meal], and the guest offers the benediction in order to bless the host.

מאי מברך יהי רצון שלא יבוש בעל הבית בעולם הזה ולא יכלם לעולם הבא

What is the blessing in question? “May it be Your Will that this host never be embarrassed in this world, nor abashed in The World-to-Come.”

To a degree we should find Shim'on bar-YoChai's ruling here counter-intuitive: since they had to pay the grocery bill, and juggle the logistics of cleaning the house for company, and preparing the meal, should it not be the privilege of the lord and lady of the manor to pronounce all the celebratory liturgy at their own table? What we see here instead is a model of דרך ארץ which institutionalizes a profound consciousness about the two aspects of מצות הכנסת אורחים: the duty of an attentive host[ess] to make necessary accommodation to the needs of a guest, and the corollary obligation of a considerate guest not to require such accommodation that it makes hosting them a burden. (We will see a discussion of the latter consideration, viz. the contrast between an אורה טוב and an אורה רע, coming up on 58a).

In those terms, the host[ess] sets the tone of the meal by breaking the loaf with good cheer (בעין יפה), a synonym for the more common turn of phrase (בסבר פנים יפות) and distributing generous portions of it as a token of encouragement for the guests to help themselves to all on the table. In response to which the guest— by virtue of leading *inter alia* the fourth paragraph of ברכת המזון invoking the blessing of הרחמן upon “בְּעַל הַבַּיִת הַזֶּה וְאֵת בְּעַלְת הַבַּיִת הַזֶּה”— has the privilege of offering thanks בדיעבד both to the One Who created the food and the to one[s] who served it.

As such, while המוציא before eating and ברכת המזון afterwards constitute liturgical bookends that frame a shared meal with sacred words, the corollary rabbinical convention about who recites these respective benedictions also serves to celebrate the social contract in exaltedly uplifting terms.

=====

respective benedictions also serves to celebrate the social contract in exaltedly uplifting terms.

=====

**B'rachot 47b** - February 19, 2020

אמר רב הונא תשעה וארון מצטרפין

Rav Huna said that nine [worshippers] and the Ark conjoin [to constitute a *quorum* of ten].

Although three or more may pray together aloud, lacking a full *quorum* of ten means truncating the liturgy so as to eliminate שמע וברכותיה; every recitation of קדיש, and the entire Torah service— a *de facto* deprivation that effectively punishes those who bothered to show up. Our “frequent flyers” begin to get discouraged; to wonder why they bothered; and to stop coming altogether, which is less than conducive to the integrity of the קהל.

Rav Huna's assertion may be a stretch (he is immediately challenged by Rabbi Nachman - וארון וגברא הוא), but it represents a truly outside-the-box initiative towards inclusivity and “audacious hospitality.” As such, he furnishes us with an invaluable tool of community-building which we in-

voke frequently. My R.A. colleague at the nearby small USCJ congregation unabashedly told me that he'll proceed with full-bore שחרית שבת liturgy so long as he has “70% of a *minyán*,” but I can one-up him: when in-season Saturday morning constituency at the little synagogue I serve in retirement is as sparse as seven worshippers, we invite all three ספרי תורה in the Ark to join us in testimony to our Covenant faithfulness, and pull out all the liturgical stops as a *de facto quorum* of ten.

---

**B'rachot 48a** - February 20, 2020

ינאי מלכא ומלכתא כריכו ריפתא בהדי הדדי ומדקטל להו לרבנן לא הוה ליה  
איניש לברוכי להו

King Yannai and his queen were taking a meal together— but, after he killed off the rabbis, there was no one left to make the blessing [*i.e.* ברכת המזון] for the two of them.

אמר לה לדביתהו מאן יהיב לן גברא דמברך לן אמרה ליה אשתבע לי דאי מייתנא  
לך גברא דלא מצערת ליה

He said to his wife: “who will furnish us some person to make a blessing for us.” She said to him: “Promise me that if we bring you someone, you will not hurt him.”

אשתבע לה אייתתיה לשמעון בן שטח אחוה

He promised her, whereupon she brought her brother, Shim'on ben-Shetach.

Outside of the season of Chanukah— when, in the interests of group solidarity, we are obligated to say nice things about the Maccabees— we have no illusions about the damage the Hasmonean dynasty did to the morale, stability, and national security of our Israelite forebears. In the interests of doctrinal purity, this cohort of Aaronide priests needlessly committed an entire generation of Israelites to war with the Seleucid Empire. Far worse: they dismantled הגדולה הכנסת to prevent the rabbis from sharing any of the prestige they themselves enjoyed as sole custodians of Torah originally given into their keeping by their great-great-uncle משה רבנו; with no authority other than their own, they appropriated the monarchy from the moribund royal dynasty of Judah; they engaged in fraternal squabbling and open civil war over questions of succession; and they paved the road to disaster by entering into the ultimately fatal alliance with the new superpower of Rome.

The Hasmonean monarch Alexander Jannaeus— the “ינאי מלכא” referenced anecdotally in our present *daf*— was arguably the worst of this bad lot, a despotic tyrant whom historian Abram Leon Sachar describes as having had “a talent for alienating people.” This arrogant narcissist launched gratuitous wars against his neighbors to expand his territory, and then flooded his newly enlarged domain with bilingual coins trumpeting him as ΒΑΣΙΛΕΩΣ ΑΛΕΞΑΝΔΡΟΥ and יהונתן המלך (minting these פרוטות in such vast quantities that they were still in current circulation more than a century later, as witness “the widow’s mites” [οι λεπτα τηζ χηραζ] referenced in the Gospels of Mark and Luke, and the fact that several jars full of them were discovered in the excavations at Masada). Most notably, in terms of our present *daf*, Alexander Yannai aroused strong Pharisaic opposition to his imperial-



istic tendencies, which the rabbis recognized as introducing a home-grown counterpart to the very paganism against which the Maccabees had struggled. It is noteworthy that Yannai stamped onto his signature coins a goddess-star on the obverse, and the anchor *tyche* of Antioch on the reverse. Our forebears at the time would have regarded either symbol as blasphemous idolatry— not to mention that the anchor

also speaks of an Eisenhoweresque “foreign entanglement” that is passing strange, from a Hasmonean monarch whose predecessors had wrested Judean freedom from the Seleucids by force of arms.

All of which develops a sense of the historicity underlying the reference in our *daf* to Yannai's hostility towards רבנן "our rabbis." In his abortive effort to suppress the authority of the rabbis, the priest-king Alexander launched a six-year campaign of persecution that led to the death of six thousand Pharisaic Jews, with another eight thousand more fleeing as refugees to Egypt. Not by any means to minimize the horror of that bloodshed (which eclipsed any corresponding trauma during the centuries of Davidic or divided-kingdom rule), but the Talmud's casual reference to Yannai's having killed off the sages (מדקטל להו לרבנן) is nonetheless a hyperbole: it was the Pharisaic proponents of rabbinic thought, and those who deferred to the rabbis' leadership, who suffered and in many cases were killed; not the rabbis themselves. That is why Shim'on ben-Shetach—the brilliant and influential scholar who as נשיא was half of the Third of the זוגות in close partnership with the equally effective Judah ben-Tabbai as אב בית דין—is still around to come to dinner in our present anecdote.

The king's spouse evoked here only in passing is worthy of mention on her own numerous merits.

- Queen Salome Alexandra was a moderating influence during the one-year reign of her first husband, the Hasmonean monarch Aristobulus I;
- as his widow, she furnished both gravitas and a spirit of continuity by marrying his brother and successor, Alexander Jannaeus;
- as illustrated in our present narrative, her kinship to Shim'on ben-Shetach allowed her to mediate between the belligerent Sadducean throne and the increasingly Pharisaic constituency of the kingdom;
- and when her unworthy second husband drank himself to death she retained power as regent to heal the land from its civil war, bringing the exiles home from Egypt and providing a brief period of peace and stability.

Although her own death created a vacuum that once again led to civil war (this time between competing claimants to the throne), Salome Alexandra deserves to be remembered as a long-standing influence for good, and as a wise and clever ruler during her own all-too-brief rule. As you walk in Jerusalem through the Mamilla neighborhood into Nachalat Shiv'ah, take a moment while crossing המלכה רחוב שלומציון to devote a kindly and respectful thought to a long-ago אשת חייל who exerted herself over the course of two generations to make a difference for our people.

---

**B'rachot 49b** - February 21, 2020

כיצד מזמנין בשלשה אומר נברך בשלשה והוא אומר ברכו

How does one summon [participants at table to begin [ברכת המזון]? For three, one says "let us bless"; for three [or more] in addition to oneself, one says "bless ye...."

בעשרה אומר נברך לאלהינו בעשרה והוא אומר ברכו אחד עשרה ואחד עשרה  
רבוא

For ten, one says "let us bless our God"; for ten [or more] in addition to oneself, one says "bless ye..." [which rule applies for any larger number at table,] whether it is eleven or eleven myriads.

When I first studied this Mishnaic legislation (= B'rachot 7:3), in Jerusalem long ago, I distinctly remember being enchanted with the continuation of the passage, which establishes that the invocatory formula beginning our Grace After Meals is expanded into ever-grander poetic declarations proportionate to the increased size of the worship constituency dining together. I pondered at the time what kind of over-the-top declamatory statement would come into play, were we able to bring together at one table the equivalent of the ריבוא ששים who left Egypt at the other end of Jewish history. (Feeding into that fantasy, I have over the ensuing years indeed had many occasions to delight in the ממש רוח when thousands of delegates to U.R.J. Biennial conventions "*bentsch*" after Shabbat dinner).

Fortunately, leveler heads prevailed, and the **דין** follows the **תנא קמא**— *viz.*, the same straightforward liturgical formula for anything from ten diners on up. The reason for this down-to-earth ruling is equally straightforward. There’s no point celebrating the unique energy of being in a large assemblage, if you dispel that energy by tripping up the constituents with a “special-event” formulation they are expected to do but which only a rarified few know. As such the consensus of the Tanna’im is to maintain the momentum by keeping everyone in gratifyingly familiar territory. Per Rabbi ‘Aqiva, if you’ve got a full *quorum* for public worship (*i.e.*  $\geq 10$ ) invoke together the Covenantal Credentials of Divine Providence as **אלהינו**, and roll forward from there.



**B’rachot 50b** - February 22, 2020

תנו רבנן ממשכיין יין בצנורות לפני חתן ולפני כלה וזורקין לפניהם קליות ואגוזים  
בימות החמה אבל לא בימות הגשמים

Our Tannaitic sages have taught [in Tosefta Shabbat 8:8] we may pump wine through conduits in the presence of the groom and the bride, and we toss roast grain or nuts in front of them in the warm-and-dry season (but not in the rainy season).

As a small slice of cultural anthropology, this brief catalogue of celebratory gestures gives us enduringly meaningful insights into human psychology and behavior.

In the case of our Talmud study, the question of throwing grain or nuts in front of the wedding couple harks back to our earlier discussion of malevolent demonic forces. Whether or not we actually believe in demons is a moot point: there isn’t a culture on earth that doesn’t recognize the consciousness that none of us is in control of our destiny. As such we mark weddings with a symbolic endeavor to stack the deck in favor of future happiness and blessings, either by making loud noises (shooting guns, igniting firecrackers, tying clattering tin cans to the back of the couple’s car, or in our case breaking a glass) in order to frighten off evil spirits, or else scattering food to appease them.

The Romans “spin-doctored” away the superstition behind the already ancient custom of throwing food at the bride and groom by asserting it was an augury of a fruitful marriage. Which explanation made sense, in their era, since it was the custom then to throw wheat (not the rice or even bird-seed used in modernity), and to gather it up afterwards to bake into a wedding cake. Which practice, in turn, explains why the Tanna’im say here that you don’t toss the grain or nuts in the rainy season. It comes under the category of **בל תשחית**: people in antiquity would sweep up and eat food off the ground (far beyond “the five-second rule”), but even they wouldn’t eat it mushy and muddy.

As for running wine through conduits, RaSHI explains that this was **משום סימן טוב** “intended as a propitious gesture.” That may literally signify this was a practice of folk-religion, an effort to placate vindictive demons by offering them a drink, or to render them drunk so they are powerless to attack the bride and groom. (It was for just such a reason that **מנהג** among the Jews of Morocco was to touch the wine cup to the four corner posts of the *chuppah*). Yet that possibly superstitious practice also stands on its own as a celebratory gesture, since— unlike ruining good food by throwing it on the wet ground—the wine splashed up through a pipe is not wasted: RaSHI assures us **מקבלים אותו בראש פי הצנור בכלי**. In other words, as at all the better catered affairs in our own time, both our 3<sup>rd</sup>-century forebears and the



French Jews of RaSHI's 11<sup>th</sup> century dressed up their wedding receptions with a champagne fountain. (Which, in the case of the wine district where RaSHI lived, may very well have been actual champagne). אין חדש תחת השמש.

---

**B'rachot 51b** - February 23, 2020

אדהכי שמעה ילתא קמה בזיהרא ועלתה לבי חמרא ותברא ארבע מאה דני דחמרא  
Hearing this, Yaltah arose in a fury and, going into their wine shop, smashed four hundred jugs of wine.

אמר ליה רב נחמן נשדר לה מר כסא אחרינא שלח לה כל האי נבגא דברכתא היא  
Rabbi Nachman suggested [to 'Ulla] "Let the Master send her another cup." Instead, [‘Ulla] sent her word: "All that [you spilled] can be your benediction-cup."

שלחה ליה ממהדורי מילי ומסמרטוטי כלמי

She sent word back to him: "from bums, [you get wanton] words; from rags, lice."

Rabbi 'Ulla is a conundrum. An influential halachic scholar, and an important component of the rabbinic "internet" tying אמורי ארץ ישראל to their counterparts in Babylon, he was also an acerbic loud-mouth who throughout the Talmud is on a number of occasions depicted denigrating and humiliating his colleagues. In our present case, it takes a rare breed of boor not just to violate the social convention of handing his hostess the benediction-cup for Grace After Meals, but to compound that intentional slight by gratuitously offering a comprehensive indictment of womanhood as a whole. And then he doubles down on the insult by arrogantly insisting the only wine he is prepared to concede to his host's wife at her own table is the floor spillage from the flasks she has smashed.

That latter act of vandalism, to the contrary of being childish or petulant, must be understood in the present context as the bold gesture of an affluent and self-assured woman. Yaltah (*i.e.* our hostess, Mrs. Rabbi Nachman) did not waste her breath rebuking an inconsiderate guest, whose reputation for unworthy behavior was already the stuff of legend. Instead she defiantly demonstrated through a living parable: "I've got a whole warehouse full of wine, that I can spill out like water; I don't need to beg for a lousy cupful from the likes of you!" But whatever rationale underlay her action, it is clearly a sublimation of the זיהרא "rage" with which we are told she left the table; a less self-controlled person, instead of her own wine flasks, might have been more inclined to smash Rabbi 'Ulla's smirking face.



We have no way of knowing whether Yaltah's final retort to 'Ulla, ממהדורי מילי ומסמרטוטי כלמי, represents a spontaneous quip of her own or a well-known folk proverb. (There are, after all, hundreds of such אמרי דאנשי throughout the Talmud). What matters is that, by speaking these words at this moment in this context, she has with a stroke turned an itinerant into an indigent, boldly rebranding this נחותא "visiting scholar" as a מהדורא "vagabond, tramp, bum." Yaltah may not have been able to implement behavior-modification on the part of a self-absorbed celebrity who virtually spat on the table where he was a guest, but neither is she under any obligation to accord honor to a putative חכם whose vast learning is still too narrow to extend to something so basic as דרך ארץ. Shame on 'Ulla, and good for Yaltah.

---

**B'rachot 52b** - February 24, 2020

ובית הלל אומרים נר ובשמים מזון והבדלה

The School of Hillel say [that when concluding dinner on a Saturday night the sequence is] the blessing over the candle, then the spices, then *Birkat haMazon*, then *Havdalah*.

עני רבא בתריה זו דברי רבי מאיר אבל רבי יהודה אומר לא נחלקו בית שמאי  
ובית הלל על המזון שהוא בתחלה ועל הבדלה שהיא בסוף

Rabba answered after him: that is the opinion of Rabbi Mei'ir, but Rabbi Judah says that the Schools of Shammai and Hillel did not disagree that *Birkat haMazon* is first, and then *Havdalah* afterwards.

Note what little attention is given here to the stated opinion of Rabbi Mei'ir. That seems counterintuitive.

One of the giants of his age, he was a member of the influential early second-century posse that included 'Aqiva ben-Yoseif, Elisha ben-Abuya, and the two Rabbis Eli'Ezer. As his name suggests, Mei'ir was a halachic scholar of luminous brilliance: he once refuted God's Own law in Leviticus 11 and Deuteronomy 14 by adducing no less than fifty airtight logical demonstrations, of Euclidean perfection, to prove that a lizard is kosher.



Which latter incident may serve to clarify why, as in our present case, the other rabbinic sages seldom pay much attention to Mei'ir, nor show any inclination to rely upon his opinions. When you are talking about an intellect so dazzling that he can substantiate beyond the shadow of a doubt that two and two are in fact not four, who can trust anything he has to say?

Rabbi Mei'ir is living proof that in the scope of things maybe it's not good to be too smart.

---

**B'rachot 53a** - February 25, 2020

תנו רבנן נכרי שהדליק מישראל וישראל שהדליק מנכרי מברכין עליו נכרי מנכרי  
אין מברכין עליו

Our Tannaitic sages taught [in Mishnah Shabbat 15:8]: We may [say *Havdalah* Saturday night over a light obtained from] a gentile who had kindled it from [the flame of] an Israelite, or from another Israelites who had kindled it from [the flame of] a gentile, but not from one gentile who had kindled it from [the flame of] another gentile.

מה שנא נכרי מנכרי דלא משום דלא שבת

What is the difference, in the case of [a light obtained from] a gentile who had kindled it from [the flame of] another gentile? Because it may not have “rested.”

My immediate first thought on reading this passage was of the sacred flame which is the symbol of the Zoroastrian faith, with the related assumption that any Jew making ritual use of it becomes guilty by association of practicing זרה עבודה. However, this is not the case here, as evidenced by the sole concern of the Tanna'im being that the flame in question must have been kindled after the conclusion of Shabbat—regardless of who did the kindling.

From the perspective of the Tanna'im and אמורי ארץ ישראל, the term נכרי (“foreigner; outsider; gentile”) would principally describe subjects of the Roman Empire into which their homeland had been



forcibly absorbed. But even though Roman rule and religious practice was erosive of the autonomy and integrity of Jewish society, the *de facto* imposition of Roman polytheistic paganism consisted mostly of imprinting the image of Caesar as Jupiter on the coins; and insofar as our present text is concerned, outside the far-away shrine of the vestal virgins in the Forum of Rome itself, fire had nothing to do with Roman religious faith. And to the east, in the realm of the Babylonian sages, the Zarduchi sacred flame is not worshiped as a god but merely regarded as a symbolic reminder of the benevolence of Ahura Mazda, the God of Light.

An understanding of such nuances may have been the reason that Rabbi YoChanan promulgated a comprehensive policy that outside Israel נכרים “gentiles” are to be regarded not as idolaters but merely as practitioners of their hereditary culture (as the sages put it, מנהג אבותיהן בידיהן – Chullin 13b). Given the pressure under which the beleaguered Jewish community operated in the 2<sup>nd</sup> and 3<sup>rd</sup> centuries, that down-to-earth perspective is as cosmopolitan and perceptive as it is generously broad-minded.

### B’rachot 54b - February 26, 2020

רב יהודה חלש ואתפח על לגביה רב חנא בגדתאה ורבנן אמרי ליה בריך רחמנא  
דיהבך ניהלן ולא יהבך לעפרא

Rav Judah took ill, but then regained his strength. Rav Chana of Baghdad and other sages went up to visit him, and declared: “Blessed be The Merciful One, Who has given you back to us, and Who has not consigned you to the dust!”

אמר להו פטרתון יתי מלאודויי והא אמר אביי בעי אודויי באפי עשרה דהוו בי  
עשרה

He told them: “You have exempted me from offering my own prayer of thanks.” [One among them asked:] But did Abayei not say one must offer a prayer of thanks in the presence of a quorum of ten? [To which Judah replied:] I had ten there.

והא איהו לא קא מודה לא צריך דעני בתרייהו אמן

Yet he did not then proceed to offer a prayer of thanks! That was unnecessary, since [they had recited the prayer on his behalf, and] he responded “*Amen*” after them.

Public worship follows the principle of parliamentary procedure. In the order of things, there may be more honor and glory and political prestige in being the maker of a motion— but that motion dies for lack of a second.

As gregarious creatures, human beings are not just enriched, but validated and substantiated, by those around us. When it comes to Jewish life, which is constitutionally corporate, communal, and collective, על אחת כמה וכמה.

### B’rachot 55b - February 27, 2020

אמר רבי יונתן אין מראין לו לאדם אלא מהרהורי לבו

Rabbi YoNatan said that a person is shown in a dream only the thoughts of his own imagining.

אמר רבא תדע דלא מחוו ליה לאינש לא דקלא דדהבא ולא פילא דעייל בקופא

Rabba said you can know this from the fact that a person never views [in a dream] a vision of a golden date-palm, nor an elephant passing through a needle's eye.

The consensus among mental-health professionals has long been that dreaming is the subconscious mind's creative way of organizing impressions about and reactions to activities engaged in during our waking hours. While dreaming is therefore to some degree an outcome of what Hasidim call **ביטול היש** “a nullification of the self,” and while dreaming can unquestionably feature some quirkily incongruous juxtapositions, it is nonetheless a rational endeavor founded on actual personal experiences in, and credible details of, the real world.



By contrast to that, the conversation over the past couple of *dapim* seems to have proceeded from the conviction that dreams are encoded auguries sent from a higher plane, which earnest presumption effectively institutionalizes folk-religion and superstition. It is therefore refreshing and encouraging to see such ignorant primitivism dispelled by intellectuals the like of Rabbis YoNatan and Rabba, who affirmed in the third century a rational piece of social-science right out of Sigmund Freud in the nineteenth and twentieth.

---

**B'rachot 55b** - February 27, 2020

ולא פילא דעייל בקופא דמחטא

. . . nor [does one see in a dream vision something as incongruous as] an elephant passing through a needle's eye.

A minor linguistic digression, to highlight an important cultural consideration.

There is no mention of elephants in the Bible (nor, for that matter, in the Mishnah), for the simple reason that this creature never in recorded history lived in Israel and its environs. The earliest written Jewish reference to them (2nd century BCE) is mention in the Apocryphal Book of Maccabees of the armored war-elephants deployed by the Seleucid forces. Like the animals themselves, the Greek term *ἐλέφαντα* used in I Maccabees 6:46 is an import, which most philologists regard as the derivative of an indeterminate non-Indo-European language.

In our case, we know that The Academy of the Hebrew Language extrapolated the modern Israeli word for “elephant” פִּיל from the Aramaic term פִּילא in *e.g.* our present text, as well as from the Arabic cognate الفيل *al-fil*— both of which, in turn, are loan-words derived from the Persian *فیل* *fil*.

The geopolitical scope of the Persian Empire, and the long-standing peace and prosperity of the Persian world, dictated that the language of the Persians was the *lingua franca* of international commerce along The Silk Road long before the Common Era until well into the High Middle Ages. (In terms of which, it is worthy of note that merchant-travelers brought back to Europe from the Middle East several Parsi terms preserved in our own English language, such as *pajama* and *caravan* and *bazaar*).

Herodotus in his *Historiai* remarks “The Persians are more inclined than any other peoples to adopt foreign practices, in addition to which they yearn to indulge in any manner of foreign luxury they hear of.” It stands to reason that many such exotic indulgences, once imported into Persia to gratify consumer demand, would, in the interests of consumer convenience, be assigned a consumer-friendly Persian term. Thus the southeast Asian animal which in its countries of origin might have been re-





ferred to variously as a *hati* or a *hathi* or a *gajah* or an *anayei* or a *tchang*, once brought into the Persian part of the world to serve as a powerful beast of burden or a daunting weapon of imperial war, was rebranded in Parsi as a *fil*.

All of which puts this gigantic pachyderm on the cultural radar of the rabbis. Whether or not a 4<sup>th</sup>-century Babylonian sage such as Raba had himself ever actually beheld such an animal, or whether he had simply heard of it through merchants returning from commercial journeys to India Aryana, he is familiar enough with at least the concept of the elephant to invoke it proverbially in terms of its massive size. That fact, plus

his equally matter-of-fact mentioning it using an Aramaization of its vernacular Persian name, is an index of the cosmopolitan nature of Babylonian Jewry.

This offers testimony yet again to why it is that our long-ago forebears found voluntary exile in the economic security and geopolitical stability of the Sassanid province of Asoristan we call **בבל** preferable to an uncertain life back home under brutal Imperial rule in the turbulent Roman province of Palestina.

---

**B'rachot 56b** - February 28, 2020

כפיתו תרין ארזי בחבלא אסור חד כרעיה לחד ארזא וחד כרעיה לחד ארזא ושרו לחבלא עד דאצטליק רישיה אזל כל חד וחד וקם אדוכתיה ואצטליק ונפל בתרין

[In order to execute Bar-Hedya for having ruined the silk in the Emperor's wardrobe], they pulled together two cedars with a rope; tied one of his legs to one cedar tree, and one leg to the other cedar; then released the binding rope so that he was split right up his head as each [tree] sprung back to its place. He was decapitated, and fell in two pieces.

The spontaneous disjuncting-and-dismemberment described here is amply documented not just in the Arab and Turkish world, but also in Europe right up to disturbingly recent times (although in those cases it more commonly involved tying all four extremities to horses, rather than just the two legs to trees as depicted here). The commonness of such a gratuitously horrible practice speaks of the gruesome inventiveness evinced throughout history to create degrading ways to make a public example of convicted criminals.



As we will see when we get to Tractate Sanhedrin, two of the four modes of execution practiced in ancient Israel— viz. burning **שרפה**

[Sanhedrin 7:2] and the closely associated strangling **חנק** [*ibid.* 7:3b] seem at first to be almost as brutal and barbaric as the dismemberment described anecdotally in our *daf*. But there are four intriguing moderating considerations in those cases.

- 1) The principal of direct moral accountability. As a reflection of the Toraitic legislation **וְיִתְּנוּ יָדָם לְהַמִּיתוֹ** [Deuteronomy 17:7], the Mishnah stipulates [Sanhedrin 7:2] that sentence of **חנק** or **שרפה** was carried out through the hands-on agency of the two witnesses whose corroborative testimony had secured about the conviction.
- 2) The clear preference of the Tanna'im is for **הרג** beheading a convicted criminal, over the two harsher means of execution just referenced. Not only do our sages anticipate Louis Gui-

lotion by eighteen centuries, by favoring the most instantaneous and merciful death, but they even discuss (in Sanhedrin 7:3a) which mode of decapitation would have been the least degrading to the personal dignity of the condemned.

- 3) The conduct of a capital case outlined in Mishnah Sanhedrin protects the rights of the accused by raising such high standards for securing a conviction that it would have been effectively unnecessary to execute a criminal by any means.
- 4) Perhaps as important, Tractate Sanhedrin itemizes and evaluates the very short list of capital offenses calling for the judicial destruction of a human life— and none is so frivolous as having accidentally splattered water on the ruler's silk robes.

That later tractate Sanhedrin, which will serve to demonstrate the lengths our sages would go in order to avoid defiling the **צֶלֶם אֱלֹהִים** by not executing a criminal in the first place, serves for now in B'rachot to develop a context to appreciate fully how our present text from 4<sup>th</sup>-century Babylon both records and indicts the comparative savagery and barbarism of the rest of the world.

---

**B'rachot 57** - February 29, 2020

אמר רב יוסף הרואה עז בחלום שנה מתברכת לו עזים שנים מתברכות לו  
שנאמר וְדִי חֵלֶב עֲזִים לְלֶחֶמְךָ

Rabbi Yoseif said that one who sees a goat in a dream will have a blessed year; if more than one goat, several blessed years. This is even as it is said in Scripture: “a sufficiency of goats’ milk for your food [and for the food of your household, with life for your young ones” - Proverbs 27:27].

Two pages— and, in *Daf Yomi* terms, two days— back, we saw on B'rachot 55a the straightforward assertion of Rabbis YoNatan and Rabba that dreams are a subconscious fabrication ( אין מראין לו (לאדם אלא מהרהורי לבו (חלמא דלא מפשר כאגרתא דלא מקריא). Appearances to



the contrary, there is no real disparity between those two viewpoints.

That is because a dream does not have to be an other-worldly sneak-preview behind the mysterious curtain of futurity, in order to have inner significance. Freud's *Die Traumdeutung* (“On the Interpretation of Dreams”), published in 1899, records a wide array of conventionalized dream images common to several of his clients: being rescued from drowning, representing birth; catching a train, as a symbolic representation of dying; and missing a train, for escaping death. These visual metaphors experienced in dreams were consistent with the cultural norms of his Victorian European society. The conventional symbolic images described on this page, by the Amora'im of both Israel and Babylon, do the same thing from the viewpoint of their own time and place.

What is truly wonderful about this is that the dream-imagery mention acquires an additional level of meaningfulness by virtue of consisting of puns on, invocations of, and allusions to Scriptural citations. That fact is the measure of the degree to which Torah scholarship was woven into the consciousness (and, in this case, subconsciousness) of our forebears, and into the fabric of their everyday lives.

---

**B'rachot 58b** - March 01, 2020

ראה את הכושי ואת הגיחור ואת הלוקן ואת הקפח ואת הננס ואת הדרניקוס

Upon seeing a black person, a rubicund person, an albino, a hunchback, a midget, or a person with limbs engorged by elephantiasis,

אומר ברוך משנה את הבריות

one says: “Blessed...Who has given such marvelous variety to the human form.”

This is a compellingly important text, which I have often used in my teaching as one of the crown jewels of Jewish ethics.

As a developmental milestone; as an invaluable life skill; and, in Pleistocene times, as an indispensable survival tool, discriminatory function is vitally important, and a good thing— but discrimination, in the form of bigotry, is not. Animals recoil instinctively from anything different or strange, but more is expected from human animals, especially those committed to the theology of בצלם אלהים. Children (who are amoral by virtue of being a work in progress) have a thoroughly bestial penchant for spotlighting and denigrating The Other, but there are regrettably far too many adults who never outgrow that Pavlovian reflex for gratuitous insult.

Which is what is so marvelous about the benediction prescribed on this page. It requires that we take other people as they are, on their own terms rather than ours. It demands that we honor their inviolate personal dignity. It reinforces our connection to and commonality with them, by virtue of our both being The Divine Image. And ultimately it transfigures both of us, by making our respective variations on צלם אלהים into living testimony to the Creator as an Artist of rich and infinite variety.

If that feels too exaltedly soaring in its idealism, then consider a real-world non-liturgical counterpart. Syndicated etiquette columnist Judith Martin was asked, “Miss Manners, how do I acknowledge an introduction to a gay couple?” Martin’s recommendation: “How do you do? How do you do?” Her intimation is that they are two people, whose gayness is incidental and irrelevant; our Talmudic sages say the same for individual human beings of any constituency, size, shape, or color.

---

**B’rachot 59a** - March 02, 2020

ועל הזועות

“...and over *z’va’ot* [one says “Blessed...Whose might fills the earth” - B’rachot 9:2 = 54a].

מאי זועות אמר רבי קטינא גוהא

What is meant by “*z’va’ot*”? Rabbi Qatina said: “a[n earth] tremor.”

California isn’t the only place earthquakes happen. ישראל lies atop the intersection between the Anatolian and Arabian tectonic plates, with the Jordan Valley and ‘Aravah constituting “The Dead Sea Transform Fault,” the northernmost branch of The Great Rift running all the way down to Lake Victoria in East Africa. Periodic slippage between the plates of the crust in our still-young planet have led to several notable recorded tremors in local Israelites history.

- The prophet Amos records that he began his career of prophecy לפְּנֵי הָרָעַשׁ [Amos 1:1], a reference to the memorable monster quake of 750 BCE, which is estimated to have been a Richter 8.2;
- the spring at Qumram was rerouted by, and building ruins at the Essene community there show structural damage from, a severe earthquake in 31 BCE;
- the massive stone walls of Baldwin IV’s Crusader castle of Chastellet, built late in the 12<sup>th</sup> century at Tel Ateret in the central highlands of Israel, show major structural flaws wrought by the Great Syrian Earthquake of 1202 (a presumed Richter 7.6);



- and the apocalyptic vision of Ezekiel declares God will defeat arrogant King Gog by means of **רַעַשׁ גְּדוֹל עַל אֶדְמַת יִשְׂרָאֵל** [Ezekiel 38:19].

All of which is, of course, completely incidental: the benediction prescribed here is comprehensive, to be recited anywhere on the planet you happen to experience the drama of an earthquake, and not just in Israel.

=====

The larger significance of our discussion on this *daf* is its linguistic implication. Amos in the 8<sup>th</sup> century BCE and Ezekiel in the 6<sup>th</sup> both use the noun **רַעַשׁ** *ra'ash* “racket” to describe an earthquake in purely auditory terms; a millennium later, that Biblical term has been supplanted in the classical Hebrew of the Mishnah by the admittedly more apt descriptive term **זוּעָה** *z'va'ah* “tremor.” The problem is that, while the meaning of **זוּעָה** can be extrapolated as a derivative of the hollow verb root **ע-ו-ע** (“shaking, trembling”), this arcane noun is a *hapax legomenon* which manifests nowhere else in the Mishnah— and not at all in the Bible. Rabbi Qatina is linguist enough to have figured it out, and to help his colleagues (and us) by furnishing the counterpart term in everyday Aramaic.

As we continue our daily immersion in the Talmud, studying this (mostly) Hebrew text, we sometimes forget that the Amora'im were in the same linguistic boat as we are today: learned scholars, dedicated to the text but hampered in their engagement with it by imperfect familiarity with the language of the Bible. Hebrew had ceased to be our *lingua franca* long before the end of the first century, and throughout the era that our rabbinic literature is taking form Aramaic was the vernacular not just in Babylon but in the land of Israel as well. The measure of that cultural sea-change is the fact that to this day our most important Jewish rituals and documents— as *e.g.* both the **שטר כתובה** promulgating a marriage and the **גט** as **ספר כריתות** dissolving it; the ceremony of **פדיון פטר רחם** that risks relinquishing custody of a child; **תעודת גרות** (not to mention most other records of a **דין**); and, by extension, the dramatic recitation of the **כל נדרי** prayer as a declaration of public policy by a duly convened court— are all traditionally framed in Aramaic in the interests of universal comprehensibility.

That same spirit of linguistic accessibility holds for **תלמידי חכמים**, as well. Many of the popular rabbinic epigrams we love to quote—as *e.g.* **הפך בה והפך בה דכולא בה** and **דעלך ועל דאטפת אטפוך**— are couched not in the Hebrew of the Bible, but in the sages' everyday language of Aramaic. Along the same lines, Rosh haShanah 26b records anecdotally several occasions when the Academy in Tiberias resolved the meaning of an unfamiliar Biblical term by listening to Yehudah haNassi's housekeeper, a provincial woman from a village so isolated that its quaintly outmoded natives still spoke Hebrew. The sages respected her as a repository of their hereditary culture and as an invaluable connection to the heritage of our people. The fact that in Rosh haShanah 26b they scrupulously credit her **בשם אומרתי** reflects on their humble awareness of Ben-Zoma's definition of a true scholar in *Pirquei Avot* 4:1: **אִיזְהוּ חָכֵם הַלּוֹמֵד מְכַל אָדָם** (although in this case that would have to be **“מְכַל אִשָּׁה”**— or, in the vernacular, **“מִן כָּל אֲתָתָא”**).

=====

**B'rachot 60a** - March 03, 2020

הנכנס להקיז דם אומר יהי רצון מלפניך ה' אלהי שיהא עסק זה לי לרפואה  
ותרפאני כי אל רופא נאמן אתה ורפואתך אמת לפי שאין דרכן של בני אדם  
לרפאות אלא שנהגו

The one who is going in for a blood-letting says: “May it be Your Will— Eternal One, my God— that this procedure may be a healing for me, so that You may heal me. Because You are a faithful and healing God, Whose restorative power is certain, whereas mortals have no real means to heal save to go through the motions.”

אמר אביי לא לימא אינש הכי דתני דבי רבי ישמעאל וְרַפָּא וְרַפָּא מְכַאן שְׁנִיתָנָה  
רשות לרופא לרפאות

Abayei objected that a person should not speak in such a manner, since it was a teaching of the School of Rabbi Yishma’Eil that we deduce from the verse “one will surely heal” [Exodus 21:19] that license has been given for a physician to practice the healing arts.

We have the choice as to whether דם הקזת should be rendered as “cupping” or “blood-letting,” since that Hebrew term denotes both interventive efforts intended to restore the balance of the “four humors” described by Hippocrates. Blood-letting remained in common use up to the 19<sup>th</sup> century; cupping is still routine in Chinese traditional medicine, and is advocated today by some alternative practitioners in the West, as well.



What matters for our present purposes is that, as expressed in the frankly bleak pre-operative benediction pre-scribed by the קמא תנא in our text, such limited therapeutic interventions as were available to our long-ago forebears did not apparently inspire much confidence on the part of the patient. We forget that it is only in very recent modernity that medicine became a scholarly and scientific endeavor. Until the 19<sup>th</sup> century not

only were most practitioners untrained, but many were only incidentally involved in medicine (the red stripe on the barber’s pole originated as an advertisement of his sideline as a blood-letter). It took more than 200 years after van Leeuwenhoek invented the microscope for Lister and Pasteur to address the role of bacteria in illness and infection. Advances in medical practice were hampered by long-standing hidebound beliefs; disease was widely understood as an inescapable punishment from God as late as the beginning of the 20<sup>th</sup> century (when pioneer microbiologist Herman Biggs announced in 1905 that tuberculosis was preventable, he was formally rebuked for that sacrilege by the New York Board of Physicians).

It is that kind of religious conviction that underlies the question at hand on this page, as to whether physicians are even allowed to practice medicine in the first place. The basis for that question is the incident at Marah, in which God declares: אָנִי יְהוָה רַפְּאֵךְ [Exodus 15:26]. One of several legitimate readings of that verse is that God Alone is our Healer, from which it logically follows that any human intervention on behalf of the injured or ill person constitutes the ultimate act of השגת גבול: imposing upon the prerogatives of— and in the process blasphemously defying the Will of— יוצר האדם. To their enduring credit, the sages rejected that absolutist world-view, and chose instead to adopt the opinion of the School of Rabbi Yishma’Eil.

I think there are three compellingly simple reasons for that decision.

- 1) The constitutional intellectualism of the rabbis. As liberal-arts scholars themselves, our sages admired anyone disciplined enough to dedicate him- or herself to studying the anatomy of Galen, the medical practices of Hippocrates, and the pharmacopeia of Dioscorides
- 2) The aspirational penchant of Jewish tradition to look to The Possible. In spite of the self-evident flaws and incompleteness of all of the medical writings just referenced, they represented Best Practices at the time. Our sages were loath to offer any discouragement to an idealistic and caring individual summoned to the helping profession of alleviating pain and promoting healing.
- 3) The fundamental concept of בצלם אלהים, which implies the unique holiness of human beings as God’s partners in the ongoing task of Creation. If that includes “tilling and tending the Garden” [Genesis 2:15] and putting on the finishing touch of God’s Creation by re-

moving the foreskin and pitting the grape, then it also includes helping restore the natural balance of the human body to wholeness (which is what the Old English word “health” means, as reflected in the Hebrew synonym בְּרִיאוֹת—literally “as created”).

Thus it is that our long-ago sages chose to give license to healers to join hands with our Creator (כְּבִיכּוֹל) in the restoration and maintenance of human wellness and well-being.

And meanwhile we rabbis, with our hospital i.d. badges, and our clergy parking spots, and our *Mi she-Beirach* sick-list at congregational worship, do our bit towards the holistic aspects of healing by praying both for and with our congregants. It should be needless to say that, whether we draw from the *Rabbi's Manual* or the סִידוֹר or our own heart of hearts, such liturgy as we bring to that pastoral endeavor should most pointedly not echo the bleak dubiousness of the תַּנּוּ קִמָּא. Instead let our pastoral ministrations follow the opinion of the School of Rabbi Yishma'El by validating the skill of the healer, so as to inspire confidence and trust and hope on the part of the patient.

---

**B'rachot 61a-b** - March 04, 2020

תנו רבנן כליות יועצות לב מבין לשון מחתך פה גומר ושט מכניס ומוציא כל מיני  
מאכל קנה מוציא קול ריאה שואבת כל מיני משקין כבד כועס מרה זורקת בו טפה  
ומניחתו טחול שוחק קרקבן טוחן קיבה ישנה אף נעור

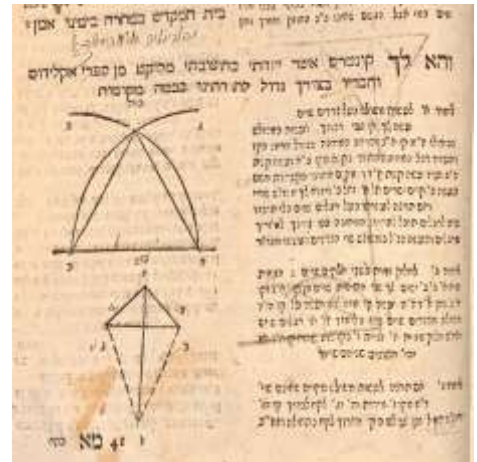
Our Tannaitic sages have taught that the kidneys advise, while the heart discerns; the tongue formulates, while the mouth articulates; and the alimentary canal ingests and excretes every manner of food. The windpipe brings forth the voice; the lungs absorb all kinds of internal fluids; the liver enrages, while the gall bladder mitigates it with a drop; the pancreas modulates the humors; the intestine grinds down; the stomach brings sleep, while the nose awakens.

All of which may strike us as naïve, compared to our modern scientific understanding of human anatomy, not to mention sketchy in view of the numerous bodily organs not mentioned in this epigram. Yet the passage is significant in that it reflects an understanding of the inherently systemic nature of the human organism. No one component is seen as operating independently (“the tongue formulates while the mouth articulates”); rather, the body is seen כְּשֵׁמוֹ as a single corporate entity, a בְּנִיין עֲדֵי עַד in which the נִקְבִים נִקְבִים חֲלוּלִים חֲלוּלִים praised in our liturgy are interconnected in accord with the Blueprint of הַאָּדָם.

In addition, our sages show deep insight by recognizing not just the influence of the adrenal glands (“the kidneys advise . . . the liver enrages, while the gall bladder mitigates . . . the pancreas modulates the humors”) but, more important, the cognitive function of the heart. They are heirs, in this latter case, to the poetic tradition of the Bible, which describes the human heart as the seat of intelligence and thought (as *e.g.* Psalm 90:12 לִבְבִי חֵקֵמָה). While William Harvey in the 17<sup>th</sup> century defined the heart solely as a muscular pump driving the circulatory system, modern medical research has revealed that more than half the volume of this fist-sized organ consists of neural cells, clustered in ganglia that are hard-wired into those centers of the brain which involve *inter alia* logic, problem-solving, learning, and deriving meaning from sensory experience. It develops that the heart, as a centrally located branch office of the cerebral cortex, does indeed “discern.”

All else being equal, this passage on the subject of human anatomy stands as witness to the boundless scope of rabbinical endeavor. Rabbis today are only incidentally sermon-givers, service-leaders, and ceremony-doers: we are, first and foremost, arbiters of Jewish authenticity basing our intellectualism on our credentials as scholars familiar with—and at least nominally conversant in—a vast array of subject areas. That is the nature of the job, as heirs to the Tanna'im and Amora'im whom (as I have

earlier pointed out in postings to this group) historian Abram Leon Sachar's characterized as "liberal and eclectic." To the contrary of being tunnel-visioned on religious texts alone, our long-ago colleagues were liberal-arts intellectuals who insisted that "אסטרונומיה וגאומטריה תתקופות וגמטריאות פרפראות לחכמה" "astronomy and geometry are necessary complements to Torah scholarship" [Avot 3:18]. (As an illustration of the latter assertion: I have a copy of Yonah Landsofer's 1757 *שו"ת מעיל צדקה*, featuring an appendix in which the author offers a fast refresher course in some principles of Euclidean geometry, which he assures the reader "are indispensable in the study of our Torah on numerous occasions").



The late Kirk Douglas returned late in life to the Judaism he had as a young adult rejected in the conviction that our tradition is "all form and no content." He later came to realize that (as we are reminded in these pages of Talmud) the breadth and the depth and sophistication of the content in question are very vast, indeed. That reality is based on the richness and diversity of life itself, as well as being predicated on a Torah of which one of our sages of antiquity famously asserted in awe *הפך בה דכולא בה* "keep on turning the pages, because it's all in there" (with the emphasis in this case on "כולא").

---

**B'rachot 62a** - March 05, 2020

**תניא כשם שנפרעין מן המתים כך נפרעין מן הספדנין ומן העונין אחריהן**

Our Tannaitic sages have taught: just as the dead are held accountable, so too is a reckoning due from those who eulogize them, and from those who respond after them.

The role of clergy at a funeral is supposed to be intentionally generic. The principal purpose of our words is to present a religious perspective on life and death as part of God's Plan. If we speak about the deceased, regardless of how well we happened to have known him or her, our remarks must be open-ended enough to validate the individual memories of everyone present and to create a setting for each to grieve the loss in their own way.

Today, by contrast, we have the lamentable development of funerals conducted as "live mike night at the Improv," in which all and sundry are invited to come up and say something about the departed. There isn't one among our rabbinic circle who haven't seen a seemingly endless cavalcade of near-or total strangers responding to the invitation "anyone else have something to say?" by lumbering up to the pulpit to mumble: "I just want to say that George was a great guy." I wouldn't rule on whether or not that constitutes *מצות כבוד המת*, but by virtue of imposing mightily upon the frayed nerves of the bereaved I have seldom seen it count as *מצות ניהום אבלים*.

Either way, it completely misses the point of what a *הספד* is for. The verb-root *ס-פ-ד* signifies "lamenting, grieving," with the nominal form *הספד* being *לשון הפעיל* "a causing to lament, a causing to grieve." As that term signifies, the Jewish approach to eulogies is inciteful rather than solacing. We still, by all means, say nice things about George (after all, "eulogy" comes straight from the Greek *εὐλογος* "a good word"); but traditionally we invoke the worthy attributes of the departed in a manner calculated not to solace the bereaved but to upset them, making the sense of loss keen enough to incite actual keening. The preacher forfeits any sense of composure, and speaks movingly with a choke in the throat and a tear in the eye. This is kosher kabuki theater, intentionally jarring and disruptive—and, like the shock of hearing the earth shoveled into the grave resounding on the coffin

lid, it is a conventionalized endeavor designed to lance the boil of the mourners' suppressed emotion so as to pave the way for the long healing process of אבילות which follows.

All of which cultural and psychological realities underlie the observation being made in our present *daf*, to the effect that eulogizing constitutes a tightrope act.

Certainly, whether out of common courtesy; respect for the feelings of the grieving relatives and friends; or out of superstitious fear of reprisal from an offended ghost, there is pretty much a universal sentiment in most cultural traditions against speaking ill of the dead. Yet here our sages insist that there is also a corollary limit to speaking too well of them. Alike in conceptual and moral and theological terms, the eulogizer who amplifies excessively upon the praises of even a worthy decedent is נפרע (not so much “punished” as “held accountable”) for having offered false testimony. As a corollary of that, those in the assemblage who respond “אמן” in corroboration of that inflated assessment of the departed are similarly נפרעים, by virtue of being זוממים.

As for the assertion of the sages that even the deceased is נפרע, this passage of Talmud is the engine behind an array of wonderful Jewish folkloric traditions that deal with wandering spirits denied their eternal rest until they have been able to accomplish the worthy deeds spuriously attributed to them in their eulogies. We may all love a ghost story, but these particular narratives are not recounted to give folk-religion the imprimatur of authentic religious faith. To the contrary, they have been preserved through the ages as an object lesson about the need for proportion and moderation and a Maimonidean “Golden Mean” in all things— even (and perhaps especially) when it comes to loss and grief.

---

**B'rachot 62a** - March 05, 2020

רבי אלעזר על לבית הכסא אתא ההוא רומאה דחקיה קם רבי אלעזר ונפק

Rabbi El'Azar was once in the privy, when a Roman came in and shoved him off, so Rabbi El'Azar picked himself up and left.

אתא דרקונא

There entered a *drakona* . . . .

El'Azar ben-'AzarYah, an ארץ ישראל Tanna of the late first and early second century, was one of the five sages who at the famous *seider* in B'nei-Braq sat up all night recounting the Exodus from Egypt... which is almost certainly a coded reference to plotting rebellion against Rome. The tense and dangerous climate of El'Azar's time is reflected in the censorship of this current Talmudic anecdote: emended versions say the toilet-crasher here is “a Persian,” while our present unexpunged text identifies him as ההוא רומאה “some Roman,” haughtily imposing upon a vanquished Judean.

In the Roman military, the dragon standard identified a cohort, the same way that the Imperial Eagle standard (“S.P.Q.R.”) represented the Legion as a whole. In that sense the *drakona* in our episode— an Aramaism of the Latin *draco*— is almost certainly not an actual serpent but rather a high-ranking Roman officer. In terms of today's military organization, the leader of a cohort was the equivalent of a battalion commander; since our U.S. Army colonel of corresponding rank bears the insignia of an eagle, why should our first-century Roman officer not be recognizable even to civilians by his dragon badge?



Since the incident recounted here takes place a generation after the destruction of Jerusalem, historical context dictates that the arrogant Roman who pushed El'Azar out of the latrine was guilty not just of disturbing the Emperor's peace but of gratuitously inciting a vanquished people still chafing against



Imperial rule. As such, regardless of whether the interloper in question was a subordinate under his command, or merely a civilian subject of the Emperor over whom he had authority by martial law, it was completely within the purview of the dragon-officer in our anecdote to administer summary punishment by מטיה לכרכשיה “punching him in his gut.”

---

**B'rachot 63a** - March 06, 2020

דרש בר קפרא לעולם ילמד אדם את בנו אומנות נקיה וקלה

Bar-Kapara expounded: Let a man teach his son a livelihood which is clean and not onerous.

מה היא אמר רב חסדא מחטא דתלמיותא

What is one such? Rav Chisda said: decorative embroidery.

“Decorative embroidery” may be a stretch here, since מחטא דתלמיותא literally means “stitching in rows,” whereas embroidery floss of varying colors is usually sewn onto the background cloth in a variety of shapes and forms. RaSHI may be closer to the mark by rendering the term in Old French as ברושיי”ד “brocade.” That kind of richly luxurious textile is indeed built up row-by-row, with a skillful weaver managing warp and woof to create a decorative pattern distinct from the background in terms of texture and depth (and sometimes color as well).

We will for the moment take RaSHI’s word for it, and recognize that there is nothing wrong with a boy being pointed towards and trained for a career in fine weaving. In a society where various tasks were divided by gender on the basis of the presumed bodily demand of the job in question, the physicality of blacksmithing was for men; the tedious but physically undemanding task of spinning fiber went to women “on the distaff side”; but weaving was a unisex occupation, that could readily and respectfully be undertaken by either men or women.

If we’re talking about embroidery, however, I find Rav Chisda’s recommendation of that as a career for boys to be refreshingly gender-bending. In the middle of the 20<sup>th</sup> century, when girls in junior high were assigned to Home Economics to learn to cook and sew, while boys were shipped off to shop class, early-adolescents were conditioned to recognize needlecraft as *ipso facto* “women’s work.” As such, back in the early ‘60s I caught some good ribbing for packing a sewing kit for our Boy Scout hiking trips. (Although somehow the exigencies of the real world allowed meekly apologetic patrol members to transcend their institutionalized bias when it came to asking me to reattach a button that fell off in camp, or to darn a worn-through sock so they wouldn’t go lame on the trail). I found out years later that in an earlier era macho Scots warriors were all taught to knit as boys, so while farming or traveling or afield at battle they would be able to repair and maintain the long stockings that kept their legs warm (and that kept them from going lame on the trail). So if it was good enough for BSA backpackers in the 20<sup>th</sup> century, and for Scottish Highlanders in the 18<sup>th</sup>, it follows that wielding an embroidery needle was certainly an acceptable occupation for a nice Jewish boy in the 3<sup>rd</sup>-century southwest Asia of Rav Chisda.



Looking in larger terms, to the idea of handicrafts as a whole, there is an additional reason a scholar such as Bar-Kapara recommended teaching your child a “clean and non-onerous” occupation. מעשה: Yemenite Jews coming home to Israel after 1948 explained to ethnographer Shlomo Goitein that so many of their pious forebears had chosen silversmithing as an occupation because producing works of jewelry art invoked muscle-memory from trained hands, leaving the mind and mouth unencumbered for Torah study. The same dynamic holds true for your choice of stitching ornamental embroidery or weaving brocade, making either of these

clean and honest handicrafts an appropriate livelihood for a תלמיד חכם. Because if, as the rabbis teach elsewhere, האב חייב בבנו ללמדו תורה and also ללמדו אומנות [Qiddushin 29a], why should those two endeavors not be concurrent?

**B'rachot 64a** - March 07, 2020

אמר רבי אבין הלוי כל הדוחק את השעה שעה דוחקתו וכל הנדחה מפני השעה  
שעה נדחת מפניו

Rabbi Avin haLeivi said that anyone who pushes the hour, the hour will push him; while anyone who is pushed away from the hour, the hour is pushed away because of him.

Rabbi Avin has left out a few words, in the interest of making his little proverb succinct (and almost a tongue-twister). Unpacking what he implies, the message is two sides of the same coin:

- Try to rush the arrival of good things destined for you, and you not only forfeit that boon when it comes due, but risk injury or loss in the interim.
- If, on the other hand, you generously forego the blessing when it comes, the merit of that act stands to your credit to save you from a destined injury or loss on some other occasion.

At its most straightforward, Rabbi Avin's epigram anticipates and reflects many other proverbial expressions about the importance of patience. We have *e.g.* the folktale about the goose that laid the golden eggs; the assurance of Gladys Knight and the Pips that "You can't hurry love / You'll just have to wait"; and the British proverb affirming that "every dog has his day." But we also have the corollary wisdom that the dog in question will get in trouble from acting in anticipation of the day in question. You can't stack the deck; you can't flick the dice, once they land on the table; you can only put so much wishful-thinking body language on the pinball machine of life before you "Tilt."

More specifically, in Jewish religious terms, Rabbi Avin's pithy little ditty reflects several interconnected Biblical truths:

- That the Creator, as מלך העולם, implements Divine Providence on an ongoing basis;
- that the Divine Plan in question involves chronological specificity (לכל זמן ועת לכל-חפץ) [Ecclesiastes 3:1];
- and that the timeframe in question is, in consequence, sacred and inviolate (דבר-יום ביום) [Exodus 5:13 *et. al.*].

All of which is significant, in that the deliberate and intentional workings of Divine Providence stand in marked contrast to— and is by any objective standards a vast improvement over— the frivolous whimsy of the goddess Fortune with her ever-turning wheel. Neither does it escape notice that (like her sister goddess of Justice) the Roman *Fortuna Dea* is often depicted blindfolded— a stark contrast to the clear-sightedness inherent in the theological conviction of השגחה.



We cannot know God's Plan for us; we may not like God's Plan for us, when it plays itself out— but the core conviction that God nonetheless does have a Plan for us is common to all three ethical monotheistic religions. A commitment to trust in God's Purposes is reflected in Christianity (in the most extreme sense, in the Calvinist doctrine of Predestination) and in Islam through the concept of القسمة *qismat* "ineluctable fate," last of the Six Principal Tenets of Muslim Faith.

Things are a little more complicated for us, as Jews. As long-standing Covenant partners with God,

on a First-Name basis with the Creator for more than 30 centuries, we frankly presume to question both the Plan and its timeframe. So it is that we have, at one and the same time, the philosophy of Maimonides patiently anticipating the coming of The Messiah *שיתמהמה* אף על פי; our mainstream liturgy gently urging God to consider bringing about the redemption of Israel *במהרה בימנו*; and the passionate devotees of Lubavitch Hasidism impatiently demanding: “We want Moshi’ach NOW.”

To a degree that is because fatalism is not really part of the Jewish tradition in the first place. True it is that Yiddishists say *אלץ איז באַשערט*, but they don’t really believe it. Our daughter faiths of Christianity and Islam, both of them universalistic religions defined in terms of doctrine, place much more emphasis on fate and fatalism as the inevitable fulfillment of God’s Plan. We of the Household of Israel, by contrast, are a particularistic people, bound to Covenant duty as encoded in Torah. As such our focus has always been less on fate than on destiny: an active process of exercising our moral consciousness and our free will to make personal choices fulfilling God’s Plan for us. That is the dynamic behind Rabbi ‘Aqiva’s marvelously paradoxical assertion that *הכל צפוי והרשות נתונה* [Avot 3:15].

As we conclude with this page the first Tractate of the Fourteenth *Daf Yomi* cycle, may we find meaning in the rest of ‘Aqiva’s statement in that same Mishnah: *בטוב העולם נדון והכל לפי רוב המעשה*.

---

הדרן עלך הרואה וסליקא לה מסכת ברכות