

The First Levels Part 3 Standard Words and Phrases

Decreed to be the same

גזרה שווה Comparable

היקט

There are two types of גזרה שווה.

The first type tells us that a term which is used in one place and carries with it certain laws, carries those laws to another place. For example, the Rosh Yeshiva tells us, " You are allowed to go out to go swimming, but only if you behave well." Then he tells us, " You are allowed to go out to the store."

Since, when he told that we can go to the store, he used the term " go out ", we understand that v

The second type, sometimes called a הקט, tells us that when the laws of one topic are written next to the laws of another topic, the laws of the first topic apply also to the second topic, and also one or more laws of the second topic apply also to the first topic. For example, the Rosh Yeshiva tells us, " You are allowed to go out to go swimming, but only if you behave well and are a credit to the Yeshiva."

We understand that, because he put the two topics together, even though they have nothing to do with each other, the laws of the first topic apply to the second topic.

a. When we go swimming, we must behave ourselves and be a credit to the Yeshiva

b. When we go to the wedding, we must wear our hats and jackets.

108 .R:E 3. General construction בנין אב As it is found מה ממצינו

Generally speaking, once a law is given regarding one topic, we understand that it should be applied to other topics as well. For example, the Rosh Yeshiva tells us, " You are allowed to go swimming, but only if you wear a hat and jacket." So we understand ourselves that we should wear a hat and jacket also when we go out of the Yeshiva.

109 .R:E 4. General statement followed by a כלל ופרט specific statement .R:F

When a person makes a general statement and then follows it with a specific example, his intention is that the general statement be applied.

For example, the doctor tells me, " You should relax! You should go swimming!"

From the example, I understand that he wants me to relax only by going swimming.

If the doctor would have only told me to go swimming, I might have thought that he is only suggesting that I go swimming instead. But, because he prefaced his advice with the general statement and then gave the example, I understand that he recommended that I relax by going swimming.

Therefore, when the Torah states a halacha in the form of a כלל ופרט, it is to tell us that the כלל is to be applied to the פרט.

כלל ופרט אין בכלל אלא מה שבפרט

110 .R:E 5. Specific statement followed by a פרט וכלל general statement .R:F

When a person gives a specific example and then follows it with a general statement, his intention is that the general rule is not limited in any way.

For example, the doctor tells me, " Take some exercise by going swimming! Relax!"

By telling me to go swimming, the doctor is simply suggesting one form of relaxation. The main purpose of his advice is to relax, including lounging in an armchair, if that is how I can best relax.

If the doctor would have said only, " Relax! " I might have assumed that he meant the type of relaxation that I can best relax. So, the fact that he first mentioned swimming and then gave the general advice tells me that this is the type of relaxation that he is recommending.

Therefore, when the Torah states a halacha in the form of a פרט וכלל, it is to tell us that the כלל is to be applied to the פרט.

פרט וכלל נעשה כלל מוסף על הפרט ונתרבה הכל

(If the Torah would mention only the כלל, we would assume that it is to be limited by any of the פרטים mentioned.)

111 .R:E 6. General statement followed by a כלל ופרט specific statement followed by a פרט .R:F

When a person makes a general statement and then follows it with a specific example, his intention is that the general statement be applied. So, when he follows it up with a further generalization, we understand that he wants the general statement to be applied to the further generalization as well.

For example, the doctor tells me, " You should relax! You should go swimming? Make sure that you don't relax too much. From the example, I understand that he wants me to relax by taking vigorous exercise. By repeating the example, he tells me that I should not relax too much. But it does not override it entirely, otherwise he would have said, " Go swimming! Relax!"

So, the type of relaxation which the doctor has in mind is a form of exercise which is similar to taking exercise, but lounging around in an armchair is definitely not recommended.

Therefore, when the Torah states a halacha in the form of a כלל ופרט it is to tell us that the general statement is not to be overridden by the specific statement.

כלל ופרט וכלל אי אתה דן אלא כעין הפרט לרבות כל הדומה לפרט ולמעט כל מה שאינו דומה לו

112 a. Inclusion and exclusion רבוי ומיעוט

When a person makes a general statement, he intends that it should include all possible examples. When he then gives a specific example, he intends to tell us that we should exclude from the generality any case which is not like the example.

For example, the doctor tells me, " You should relax! You should go swimming?"

When the doctor tells me to relax, I understand that he wants me to relax in any way I want. So, I can relax by taking exercise, and he does not want me to relax by merely taking it easy.

Therefore, when the Torah states a halacha in the form of a רבוי ומיעוט, it is to tell us that the general statement is not to be overridden by the specific statement.

רבוי ומיעוט רבה הכל ומיעט שאינו דומה

(So the effect of a רבוי ומיעוט is the same as a כלל ופרט)

113 b. Exclusion and inclusion מיעוט ורבוי

When a person tells us a single case, he wants us to apply what he said to that one case. If he then gives a general statement, he is merely widening the scope of the application. But the fact that he did first give one example tells us that he wants us to apply what he said to that one case. For example, the doctor tells me, " Go swimming! Relax!"

Clearly, the doctor wants me to relax any way I want. He originally mentioned swimming because he wanted to give me an example. Therefore, when the Torah states a halacha in the form of a רבוי ומיעוט, it is to tell us that everything that falls under the general statement is included.

מיעוט ורבוי המעיוט הוא כמו שנכתב אחר הרבוי וממעט לפחות אחד

(You will notice that in פרט וכלל the general statement contradicts the specific statement.

But in רבוי ומיעוט the general statement simply complements and adds on to the specific statement.)

114 c. Inclusion, exclusion and inclusion רבוי ומיעוט ורבוי

When a person makes a general statement, he intends that it should include all possible examples. When he then gives a specific example, he intends to tell us that we should exclude from the generality, he must intend to override the limitation and include absolutely everything.

So why did he state the example? He must have intended to tell me that he still wants to exclude from the generality. What is that one thing? I do not know I will have to ask him.

115 For example, the doctor tells me, " You should relax! You should go swimming! Make sure that you don't relax too much. When the doctor tells me to relax, I understand that he wants me to relax in any way I want.

So, when he then adds that I should go swimming, I understand that he wants me to relax by taking exercise. When he repeats that I should relax, obviously, he wants me to relax in absolutely any way I like.

He must want to tell me that there is one way of relaxing which he does not recommend, which that I should not relax too much. What is that type of relaxation?

I asked the doctor and he told me that I should not stay in bed all day!

Therefore, when the Torah states a halacha in the form of a רבוי ומיעוט, רבוי ומיעוט it is to tell us that everything that falls under the general statement is included. And it is left for the Rabbonim to decide what that one case is.

יתנו שאינו דומה ולא מיעט לך אלא דבר אחד היותר רחוק ומסרו הכתוב לחכמים לדעת איזה דבר ראוי למעט

116 The difference between those who expound in terms of כלל ופרט and those who expound in

Those who expound in terms of כלל ופרט regard the general statement as a generalizing statement. And they regard the specific example as a limiting statement which reduces the scope of the general statement.

However, those who expound in terms of רבוי ומיעוט regard the general statement as a statement of generality. And they use the specific example to tell us what is to be left out.

117 .R:E 7. A rule which needs a detail כלל שהוא צריך לפרט A detail which needs a rule פרט (פרט וכלל) and 5 (כלל ופרט) 4. This rule tells us that Rules 4 (פרט) and 5 (כלל) only apply when they give all the details. However, if a rule requires the explanation of some detail before it can be applied, or if a detail covers each other's scope.

For example, the doctor tells me, "If you don't feel well, you should relax! You should go swimming." I cannot use the general advice "If you don't feel well, you should relax" because I don't know if I have a toothache, I should relax?

Therefore, I need the detail, "You should go swimming if your back aches" to put the general advice in context. Or, for example, the doctor tells me, "Go swimming! Relax!"

What type of swimming should I do? Should I swim myself to the point of exhaustion? Should I swim with a friend? But when the doctor tells me the general advice "Relax!" I understand that he wants me to take a break.

118 .R:E 8. Any matter which was included in a כלל דבר שהיה generality is not singled out to teach us only about itself לא ללמד יצא but to teach us about the general rule. "Boys, you are allowed to go out during lunchtime, but don't forget - when you go and come from school, you must wear your hats and jackets." This rule tells us that when the Rosh Yeshiva singled out going swimming to tell us about wearing hats and jackets, that 3 whenever 3 we go out, we must wear our hats and jackets.

119 .R:E 9. Any matter included in a כלל דבר שהיה generality is not singled out to be lenient, although still basically the same, שהוא כענינו it was singled out to be lenient, קל "Boys, you are allowed to go out during lunchtime, but don't forget - when you go, you must go to the store. Really, going to the store is already included in the general phrase "When you go out." So when the Rosh Yeshiva referred to going out to the store as "running out", he must have singled it out to be lenient.

"Running out" is only another way of saying "going out".

120 .R:E 10. Any matter which was included in a כלל דבר שהיה generality is not singled out to be lenient, unlike the generality שהוא כענינו was singled out to be lenient, קל "Boys, you are allowed to go out during lunchtime, but don't forget - when you go, you must go back in time for seder."

I would have thought that visiting relatives is also called "going out", so I would assume that we can go without hats and coats. But now that the Rosh Yeshiva has singled it out and referred to it as "visiting", I do not know if we can go without hats and coats. Perhaps he means that because it's only to relatives, we can go without hats and coats, or perhaps we must wear them.

121 .R:E 11. Any matter which was included in a כלל דבר שהיה generality law cannot be reincluded in the generality לכולל בדבר החדש R:F בפירוש .

"Boys, you are allowed to go out during lunchtime, but don't forget - when you go, you must go to school with a letter from your parents."

I would have thought that visiting relatives is also called "going out", so I would assume that we can go to visit anytime. But now the Rosh Yeshiva has singled it out and given it a new status - we can go to visit anytime. This means that he does not regard "visiting relatives" as a usual type of "going out". The usual meaning of "going out" is to go to school. Therefore, whatever he now says about "going out" does not refer to when we go to visit relatives.

122 .R:E 12. A matter which is learnt from דבר הלמד מענינו the immediate context
A matter which is learnt from ודבר הלומד מסופו the end of the passage .R:F

"Each member of our Yeshiva must go dressed as a true representative of the Yeshiva. His hat r
Sometimes, when a person makes a statement, he expects you to understand that you should take
In the above example, since the Rosh Yeshiva has just been stressing that the we must always loo
look neat and well groomed.

"Each member of our Yeshiva must go dressed as a true representative of the Yeshiva. His hat r
the Mashgiash before you go swimming "

In the above example, the Rosh Yeshiva finishes off his speech by reminding us that we must obta
told us that we should be well dressed when we go out of the Yeshiva, he assumes that we have c

123 .R:E 13. Two quotations שני כתובים which contradict each other
between them ויכריע ביניהם

.R:F

I didn't know what to do! Reuven said that the Rosh Yeshiva said that we can go swimming and S
Then Levi came and told me that the Rosh Yeshiva told him that the usual permission to go swim

124 .R:F F A I L U R E

When Rabbi Yehuda haNasi wrote down the Mishna, and when Ravina and Rav Ashi wrote dow
thousand pages of Shass is more information than any system of stored information known to the
Very little of that information can be obtained simply by reading through the Gemora as if it is a t
study that reconstituted Oral Law. Discussion of more intensive analysis and 'unpacking' is given
Yourself'.

The Oral Law itself is a complex system of logically-linked concepts interfacing the Written Law
a Jew should think. Therefore, the talmid must be receptive to the programing of the discussions ;
connections with other stages.

125 STAGES IN LEARNING

1. Reading the text to understand its literal, superficial meaning
2. "Unpacking" the text to understand its real, effective meaning
3. Defining the content of each stage of the arguament
4. Determining the logical connection between each stage of the arguament
5. Stringing together all the stages in their correct configuration to form a fully-structured arguan
6. Determining the conclusions and consequences of the arguament

So, when you learn a sugya, firstly, you must read the sugya accurately and see what the text mea
must work out each part of the discussion - who says what. Then you have to try to understand h
the sugya.

Detailed discussion on reasons for failure to learn a sugya are due to be the topic of a further bool

126 1. The talmid cannot read text sufficiently accurately (See "Breakthrough to Dynamic Read
2. The talmid does not process information accurately. In many ways, problems processing inform
Some people do not know how to process information because they have never been trained. Oth
information, like the dyslexic corrupt their reading.

However, processing information also involves understanding the information and evaluating it, v

3. The talmid does not know how to go about solving problems
4. The talmid is convinced that he will never be able to learn, e.g. because he is too young, too ol
Therefore, he feels that he is doomed to failure and does not have a relaxed posotive attitude. Suc

As discussed in "Breakthrough to Learning Gemora", there is no one simple piece of advice which
However, the fact is that 9-year-old boys learn and understand Gemora, which proves that at least

.R:E .H: The First Levels Part 4 Sample Sugyos .H:... .H: .F: .F:... .F:...\$\$\$.

PART 4

SAMPLE

SUGYOS

128 .R:F On the following pages, you will find some small Sugyas.
For each Sugya, you will find first the page of the Gemora with the Sugya highlighted.
Facing it, you will see the Sugya broken down into phrases.

Try to translate each phrase.

If necessary, you can use the small dictionary at the end of the book where every word has been translated.
But be careful, because some words can have several distinct meanings and even if a word is given in the dictionary.

When you have translated each phrase, try to work out the meaning of the entire Sugya.

Then, try to make a diagram which summarizes the Sugya.

See how your explanation compares with the explanations given on the two subsequent pages.

If your explanation is different from that of the book's it does not mean that you are wrong!

You might have thought of a valid alternative explanation.

You can check your explanation with those of the Rishonim.

You might find that a Rishon describes the Sugya just as you did!

The last Sugya does not come with a breakdown into phrases or an explanation

129 L----- R .XT:10 .XB:10 .H: The First Level

אלא גזול בשלמא יום טוב ראשון דכתיב לכם משלכם אלא ביום טוב שני אמאי לא לגמי' קא פסיק

קא פסיק ותני בשלמא
לא שנה..... ולא שנה
אלא אמאי

קא פסיק ותני .R:F 130

לא שנה ביו"ט ראשון
ולא שנה ביום טוב שני
בשלמא יבש
הדר בעינן
ולכא
אלא גזול
בשלמא יום טוב ראשון
דכתיב
לכם
משלכם

אלא ביום טוב שני
אמאי לא

3 ולא שנה ביום טוב שני קא פסיק ותני לא שנה ביו"ט ראשון .R:E 1 131
גזול יבש

בשלמא אלמא ביום טוב שני

132 .R:F BACKGROUND: The Mishna states that a dried and a stolen esrog is posul. The Gen stating the Halocha. Therefore, there must be some basic principle which the Mishna is assuming this differentiation is between the first second day of Yom-Tov. Granted that the Mishna does lack of differentiation regarding the posul valid regarding the Yom-tov. reqt because the Yom-tov. However, why Granted that applies to the Torah the first day, requirement does not because the .R:F ANSWER: Rabbi Yochnan says in the name of Rabbi Shimon ben Yochai that performing a forbids a stolen lulav is because its being stolen means that the person using it is doing so by way

כם משלכם וזהאיס והיבש פסול שהאס שאול כשר אימת אילימאס אמיתבס רב נחמן בר יצחק לולב הגזול
ה דמי אקא משמע לך ביו"ט ראשון ולא מבעיא קאמרסהוא לא מבעיא שאול דלאו דידיה הוא אבל

מיתב אילימא אלא לאו לעולם לא מבעיא קאמר

134 .R:E .R:F מיתב רב נחמן בר יצחק

לולב הגזול

והיבש

פסול

הא שאול

כשר

אימת

אילימא ביו"ט ראשון

הא כתיב לכם

משלכם

והאי

לאו דידיה הוא

אלא לאו

ביו"ט שני

וקתני

גזול פסול

אמר רבה* (*רבא אמר)

לעולם

ביו"ט ראשון

ו לא מבעיא קאמר

לא מבעיא

שאול

דלאו דידיה הוא

אבל גזול 135
סתם גזול
אימא
יאוש בעלים הוא
וכדידיה דמי
קא משמע לן

136 .XT:2 .XB:2 2 1 מתיב רב נחמן בר יצחק לולב הגזול והיבש פסול 3 ואולכשר
אילימא ביו"ט שני

וקתני גזול פסול והאי 11
לעולם ביו"ט ראשון "לא מבעיא" קאמר 12
15 13 קא משמע לן דלאו דידיה הוא

137 .L:88 .R:C .XT:1 .XB:1 .H:PART 4 SAMPLE SUGYOS...
the Mishna is referring only to the first day of Yom-tov, and that performing a mitzva through an
borrowed lulav on the second day, this proves that the lulav does not have to belong to you then :

The Mishna states that
Yitzchok refutes Rabbi posul. The reason why Yitzcha
by quoting the Mishna, is not 7yours7 as which is a sup
Yitzchak bar Nachmaini. 3 Theref
the exact limits of the law. The lulav, will be alright - and Mishna states that only a stolen lu
would have held that other forms of possession are more 7yours7 than something not cons
a the Mishna would have used that form of possession as its example of borrowed lulav is n
day could a borrowed lulav be alright? 6 5
the Mishna is referring to the second referring to the first day.
on the first day the 7 Torah
lulav must be 7yours7 , openly that a stolen and this borrowed
proves that the objection to a stolen lulav is that the person using it is performing his mitzva by w
10 9 8 And the reason why Really we can (Rovo) Ra
point is ommitted is is actually telling does not have to be because this us
tov. Nachman Bar Yitzchak obvious that the asserts.
However, that a Obviously, a borrowed stolen lulav is posul
first day of Yom-tov, because it is not 15 13
אימא Because we might 13 the Mishna needs to think that we assume
up hope of ever regaining a robbed article. Therefore,
.L:66 138 .R:E .XT:10 .XB:10 .H:PART 4 SAMPLE SUGYOS..

ינא האי לחודיה קאי והאי לחודיה7פשיטא7 אמר מר כשם שאין פוחתין מהן כך אין מהו דתימא הואיל

קמ"ל פשיטא מהו דתימא

139 .R:F אמר מר
כשם שאין פוחתין מהן
כך אין מוסיפין עליהן
פשיטא
מהו דתימא
הואיל ואמר רבי יהודה
לולב צריך אגד

ואי מייתי מינא אחרינא
האי לחודיה קאי
והאי לחודיה קאי

1 140 קמייל עליהן מוסיפין מהוךך אין פוחתין | אמר מרכשם שאין פוחתין מהוךך אין מוסיפין עליהן קמייל 140 | |||
7 3 | | |
4 מהו דתימא קמיל

6 והאי לחודיה קאי
141 .XT:1 .XB:1 .H:PART 4 SAMPLE SUGYOS... .H:... .F:...
we cannot use less than the four species, so we cannot use more than four. At that point, the Gemora returns to the requirement for הדר regarding the Esrog. After this issue is discussed, the Gemora returns to the
than the four species, so we cannot use more than four 2 פשיטא Isn't tl
3
If the Tanna would Tanna needs to tell We would have not have tol
also הואיל what would we hold a fourth
opinion is thought? this fourth plant that the Torah is
Hadass and forbidden. Willow must be bound tog
the bundle, 6 the bundle and the fourth plant are regarded as separa
.L:66 .S:6 142 .R:E .XT:10 .XB:10 .H: PART 4 SAMPLE S

יאגדנו מלמעלה מייט כדקתני טעמא רבי יהודה לאו8 ובלולב לא בעי ריהודה הדר משום8 והתנן8 רבי

ואי מייתי מינא אחרינא * * * * * והתנן מייט לאו משום לא

143 .R:F ובלולב
לא בעי ריהודה הדר
והתנן
רבי יהודה אומר
יאגדנו מלמעלה
מייט
לאו משום
דבעי הדר
לא
כדקתני
טעמא
רבי יהודה אומר משום ר'טרפון
כפות תמרים
כפות
ואם
היה פרוד
יכפתנו

144 2 1 ובלולב והתנן לא בעי ריהודה הדר
לא 8 לאו8 משום דבעי הדר ונתני טעמא
. 145 8R:F BACKGROUND: Rovo has just stated that according to Rabbi Yehuda, there is n
.R:C 2 1 Look! We have learnt in the ובלולב So
splayed out should be Lulav, Rabbi Yehuda bound together at the top does

this? 5 4 because Rabbi 6
 Is it not mentioned by Rabbi Yehuda
 There is a different reason 9הדר :
 says that the phrase of out, you must bind the Torah כפות תמרים tells it together
 146 .R:E

סוכה לא:

אומר כביצה משום דלא גמר פירא9לאו9 משום דבעי9שמע9 שיעור אתרוג קטן רבי מאיר אומר9תא9

תא שמע לאו משום לא משום
 תא שמע 147 .R:F
 שיעור אתרוג קטן
 רבי מאיר אומר
 כאגוז
 רייהודה אומר
 כביצה
 לאו משום דבעי הדר
 לא
 משום דלא גמר פירא

148 4
 תא שמע שיעור אתרוג קטן רבי מאיר אומר כאגוז
 2 1 3 לאו

149 .R:F BACKGROUND: Rovo has just stated that according to Rabbi Yehuda, there is no T statement which will prove whether or not Rovo's statement is correct. .R:C

3 2 1 Rabbi I
 states that hear an of a nut; regarding the authorita
 will shed light on our problem
 5 לא That is not necessarily so.
 such a small esrog because he assumes Yehuda holds that that an esrog that sr
 the esrog to be 9הדר9 (and an esrog the size of a nut is not 9הדר9)!!!!

150 .R:E ב"ב :
 ; לא איתרצאי9מהו דתימא9 באמצע וכו' : מצי אייל כי9פשיטא9 בונין את הכותל לא צריכא דקדים חד

פשיטא לא צריכא מהו דתימא מצי אייל קמייל
 151 .R:F : בונין את הכותל באמצע וכו'
 פשיטא
 לא
 צריכא
 דקדים חד

ורצייה לחבריה
מהו דתימא
מצי אייל
כי איתרצאי לך באורא
בתשמישתא לא איתרצאי לך
קמייל

152 : בונין את הכותל באמצע : ^ :

.....<.....פשיטא:

: : >.....>.....: : : : : ^

ורצייה לחבריה :

: : 6 5 : : ^ איתרצאי לך באורא :

8 7 בתשמישתאלא איתרצאי לקמייל

153 .XT:1 .XB:1 .H:PART 4

SAMPLE SUGYOS... .H:... .F:...

make a wall dividing their parts, they should build it in the middle. .R:C .S:8

..... : (THE MISHNA IS CORRECT) : בונין את הכותל באמצע :

it is obvious-10) :

: The Gemora reacts : : to this stati

: פשיטא, it is : : obvious, and ne

the Mishna. :

: 10(-it is-10 :

: 10-not-10 :

3 2 : : : : one owner

fact לא the : : convinced his statement is not :

is necessary in : : the situation that :

5 4 : : "When I agreed to מצי אייל We could Withoi

what : agreed on the the other partner would we have : un

thin first one, : wall which will : cut-down only on n

7 קמייל Therefore, the Mishna But I never agreed needs to tell us that once to a thick י

my working area. automatically agrees to If you want to building half of the t

all on you part - not on mine!" 154 .L:66 .S:6 .XT:10 .XB:10 .H:PART 4

ביב ב:

10 יש בה כדי לזה חולקין 10מאי10 החצר עד שיהא בה ד' אמות לזה וד' אמות10ת"ש10 אין חולקין את

ת"ש הא מאי לאו לא

155 .R:F ת"ש

אין חולקין את החצר

עד שיהא בה ד' אמות לזה

וד' אמות לזה

הא

יש בה

כדי לזה

חולקין

מאי לאו

בכותל

לא
במסיפס בעלמא

156
3 2 1 ת"ש אין חולקין את החצר האיש בה כדי לזה
חולקין
4 : : : : 5 : : : :
BACKGROUND: The Gemora has just asserted that invasion of privacy caused by someone look
recognised by Bais Din as being retrievable from the inflictor. The Gemora now wants to see if th
3 2 1 הא This implies
hear an this amount, they brother cannot authoritative wi
to divide will shed light on their inherited our problem. courty
5 4 ! This is not
they will divide with a regulation Perhaps it means thick wall! So t
is a recognised damage. From this ordinary wooden Mishna we ca
brother to not stop anyone : join him in building a wall which lo
: : : : : (11attack 11) :.....
158 .R:E .ג. סוכה לג.

כי נמי 11פשיטא 11 אמר אביי מהו דתימא הואיל ואית ליה שם 11האי 11 אסא מצראה כשר להושענא

האי פשיטא מהו דתימא הואיל קא משמע לן ואימא הכי נמי
159 .R:F אמר אביי
האי אסא מצראה כשר להושענא
פשיטא
מהו דתימא
הואיל
ואית ליה שם לוי
לא מתכשר
קא משמע לן
ואימא הכי נמי
עץ עבות
אמר רחמנא
מכל מקום

160 1 אמר אביי | האי אסא מצראה כשר להושענא | |
5 3 | | | | |
קא משמע לן מהו דתימא | | | | |
כי נמי לא מתכשר > 8 עץ עבות מכל מקום 7 אמר רחמנא
161 .R:F BACKGROUND: The Gemora has been discussing the arrangement of leaves which ;
rows of three leaves nesting into a common level of twig. And these leaves must envelope and co
the leaves drop off, it is still suitable, so long that the twig is still covered.
"But how can that be?" asks the Gemora. "If most leaves have fallen off, that means that only one
Abaye replies that you can find this situation in the Mitzri myrtle which have seven leaves sprouti

to cover the twig.

162 .R:C 2 1 The Gemora reacts by wondering Abaye deduces from
 deduction from the Beraissa to situation in which the Breraisa prove that it is su
 Mitzri myrtle, this means that suitable. the Mitzri myrtle is suitable
 קא משמע לן Without Therefore we DO need
 would we have the Beraissa to thought? tell u
 4. 6 We would have thought that הואיל since
 have thought is that would actually true. Why should it not disqualify it from
 8 9 it does qualify The Gemora replies that the as being suitable Torah de
 Species not its name. Since the leaves מכל מקום of the Mitzri myrtle do
 163 .R:E :ג קידושין

כסף לאדון זה אבל יש כסף לאדון אחר ומאן ניהו אב ואימא לדידה אביה מקבל קידושיה דכתיב12מנלן12
 ראת בתי נתתי לאיש הזה ואיהי שקלה כספא12הכי השתא

מנלן הכי השתא

164 .R:F
 12מנלן12
 דמיקניא בכסף
 וכסף דאבוה הוא
 אמר רב יהודה אמר רב
 דאמר קרא
 רויצאה חנם אין כסף
 אין כסף לאדון זה
 אבל יש כסף לאדון אחר
 ומאן ניהו

אב
 ואימא לדידה
 12הכי השתא12
 אביה מקבל קידושיה
 דכתיב
 ראת בתי נתתי לאיש הזה
 ואיהי שקלה כספא

165
 2 1 אמר רב דאמר קרא רויצאה חנם = אין כסף מנלן דמיקניא בכסף
 6 אבל יש כסף 6 אין כסף לאדון אחר ואימא לדידה הכי השתא
 5 ניהו 9 8

אב דכתיב ראת בתי נתתי לאיש הזה
 166 .R:F BACKGROUND: Kiddushin, whereby a man marries a woman, must be performed th

gives the woman money or something worth money. If a man wants to marry a girl below the age name of 2 מנלן How do we know that (a) a 1 Rav קרא that we deduce from girl l an act of says (regarding a Jewish acquisition of money and (b) that Maidsei money .' 4 3 This implies that She this Master which she goes ot with money. 5 let ואימא But perhaps Master be? It can us see if that is we can say tl her father. 9 8 Kiddushin, as the Torah says, "My That cannot be so. daughter I gave to this man."

נד עיקרו של זה 13 אבל 13 אמר אביי אין ראשו 13 לא שנו אלא 13 ציני הר הברזל כשרה שראשו של זה: 13 תנן 13 כשרה אלא ש"מ 13 כאביי 13 שמע מינה 13 הכי

לא שנו אלא... אבל תניא נמי הכי והא אן תנן אלא ש"מ ** שמע מינה

168 .R:F

ציני הר הברזל כשרה:
 אמר אביי
 13 לא שנו אלא 13
 שראשו של זה
 מגיע לצד עיקרו של זה
 13 אבל 13
 אין ראשו של זה
 מגיע לצד עיקרו של זה
 פסול
 13 תניא נמי הכי 13
 ציני הר הברזל פסולה
 13 והא אן תנן 13
 כשרה
 13 אלא ש"מ 13 כאביי
 13 שמע מינה 13

169

2 1 אמר אביי : ציני הר הברזל כשרה :
 לא שנו אלא לצד עיקרו של זה

6 5 תניא נמי הכי ציני הר הברזל פסולה שרא
 170 . R:F BACKGROUND: The Mishna spec
 13 אלא ש"מ 13 כאביי שמע מינה
 Species. .R:C 2 1 Abaye says The Mishna says that
 Har Barzel is suitable for use as אבל But if the leaves were this v
 with the Species leaf did not reach the condition that the leaves t
 suitable. one leaf reached the base : of the leaf above it.
 Tzinai Har have learnt a Barzel are not Be
 said. 7 אלא So, the only way to explain it

in the Mishna that they are suitability depends on the length are suitable! Therefore, there of
are too short, Tzinai opinion between the Mishna and Har Barzel are not sui
enough, they are suitable. סוכה לג: R:E 171

14אלא14 ערבי נחל של בעל ושל הרים 14מניין14 14ת"ל14 ערבי נחל ערבי נחל מכל מקום14אין ל14

אין לי אלא * * מניין..ת"ל

מכל מקום ערבי נחל R:F 172

14אין ל14

14אלא14 ערבי נחל

של בעל ושל הרים 14מניין14

14ת"ל14 ערבי נחל

מכל מקום

173

מניין 3 ערבי נחלאין לי אלא ערבי נחל 1 2

174 .R:F BACKGROUND: The Mishna specifies the regulations of the type of willow which c:

2. 1. Apparently,

are refers to a River the types defined W

3. So, Willows which grow in an irrigated field or which grow on a

5. 4. Many types qualify,The Gemora replies מקום

uses the plural to defines the tree. סוכה לד: R:E 175

למקדש דא"ר אסי א"ר יוחנן14ו14רבנן למקדש 14מנא להו14 אבא שאול אומר ערבי שתים אחת ללולב

ור* מנא להו הלכתא גמירי להו הלכה למשה מסיני

176 .R:F

אבא שאול אומר

ערבי שתים

אחת ללולב

ואחת למקדש

14ו14רבנן

למקדש

14מנא להו14

14הלכתא גמירי להו14

דא"ר אסי א"ר יוחנן

עשר נטיעות ערבה

וניסוח המים

14הלכה למשה מסיני14

177

3 15 ו15 רבנן למקדש מנא להו

7 6 5 4 15 א"ר אסי א"ר יוחנן עשר נטיעות הלכה

178 .R:F BACKGROUND: The Gemora has just replied that the Torah uses the plural נחל which type of land they grow. This is the opinion of the Rabbonim. .R:C

2 Firstly, as one of Abba Shaul says 1 the Four Species, Bais HaMikdosh to tell us that the surround the 3 So now there is a question on the Rabbonim: מנא להו how do they know that it is a mitzva in the plural because they use that to learn that willows are suitable, regardless of whi are all Halochos The laws of Ten just as Reb Assi The Gemora explains which come to us Shemitta), of Rab Yochanan: הלכתא the Rabbonim recieved on Mt. Willow as not being based HaShem Yisboruch, the Pouring of on the open based on the open Succos, on the text of the Mizbayuch)

אילימא מהא דתנן 15 כן הרי 15 אלמא 15 קסבר רבא אין אונס בגיטין 15 מנא 15 אמר רבא ולענין גיטין אינו 15 ודלמא לעולם אימא לך 15 גט מת חלה נמי אינו גט 15 הוא 15 דאינו גט 15 הא 15 חדש אינו חלה הרי זה גט

אלמא מנא ליה ל* הא אילימא מהא דתנן הוא...הא.... אמר רבא 7.XB:7 .XT:7 R:F ודלמא לעולם אימא לך והיא גופא קמ"ל 180 .

ולענין גיטין אינו כן
15 אלמא 15
קסבר רבא
אין אונס בגיטין
15 מנא ליה ל15 רבא
15 הא 15
15 אילימא מהא דתנן 15
הרי
זה גיטיך
אם לא באתי
מכאן ועד שנים עשר חדש
ומת בתוך שנים עשר חדש
אינו גט
מת 15 הוא 15 דאינו גט
15 הא 15 חלה
הרי זה גט
15 ודלמא 15
15 לעולם אימא לך 15
חלה נמי אינו גט
15 והיא גופא קמ"ל 15

181 10.XB:10 .XT:10 דאין גט לאחר מיתה.

2 1 אמר רבא ולענין גיטין אלמא קסבר רבא אין אונס בגיטין

16מנא ליה16 לרבאאילימאמהא דתנן הרי זה גיטיך 5
 7 הרי זה גט 16הוא16 דאינו גט 3 מת 16הא16 חלה 6

182 .R:F BACKGROUND: We have been discussing whether or not a contract assumes that ar
 For example, a man and woman agree to set up home together within a year after their Kiddushin
 If the man fails to keep to the schedule, he has to support the woman even though they have not y
 If the woman falls behind in the schedule, then the man is exempt.
 What happens if the man or woman are prevented from keeping to the schedule because of an acc
 The Gemora concludes that under certain circumstances, the person suffering the accident is not p

183 .R:C 2 1 אלמא So, from this statement of Rabbo says that Rabbo, we car
 dealing with a Get mitigating circumstance when - a contract of considerin

5 4 3 this is your Get ifאילימא If you might מנא ליה לרבא הא I do not retur
 7 from Rabbo get such a now. the following
 is when it is not a valid Get even though condition was fulfilled.
 invalidate the condition. The illness will not be regarded as an excuse for not returning
 Dictionary .H:... .F:... .F:...\$\$\$... between them ביניהם א ----- between it
 generally בכלל Father/Name of Amora אבא with money/silver בכסף
 regarding what במאי Name of Amora אבין with sticks במסיפס but, ho
 בעא bind אגד ask / need בעי man אדם need
 owner בעל forced / accident אונס owners בעלים other / after
 one אחת son בר if אי granted זשלמא
 בתוך let us say אימא houses of... בתי when regard
 גבוה is not אינו body / it itself גופא I will ask you a stolen
 גזרה ate אכילה Get = bill of divorce גט but אלא your Ge
 אלמא it has been learnt גמירי mother אס finish גמר when
 אמר four ד' we say אמרינן this דא us
 דאבה Name of Amora אסי that there is not דאין but אף which
 אתה who needs דבעי overpower through אתקפתא that they need ינן
 דהני -- ב ----- of his דידיה regarding/in/at/by .. ב law/ logical
 דלא in the middle באמצע which is not דלאו i have come באתי
 regarding the matter בדבר intention/knowledge דעתיה regarding me בדידי who/
 בה that we should say דתימא regarding this בהא as we have learnt in נניא
 have learnt in דתנן they build בונין a Mishna by/on the day
 185 and one וחד -- ה ----- and strict וחומר the ..
 this האי and she went out ויצאה the iron והברזל and like him
 and general rule וכלל he הוא and silver/money וכסף since
 the new (one) החדש and according to your ולטעמיך the courtyard החצר reason
 היקש and the language ולישנא permission/extra היתר and regarding ולענין
 minority ומיעוט like this הכי and the Master ומר the general rule
 Torah) and until/ and ועד that which is learnt הלומד witness לא
 learnt וקתני which is learnt הלמד and R* ורי the water המים
 contradict contradiction mountain הר and they raised a בורמינהי ב
 agreed to him ורצייה the equals והשוה and of ושל the third י
 now השתה clarify behold we have learnt -- ז ----- התנן
 ... ח ----- and one ואחת one חד and if ואי nex

divide/argue	חולקין	and let us say	ואימא	the Sages	חכמים
and say	ואמר	and it/you	ואת	good	
and of the	וד' reason	and the thing/word	טעמא		
despair/give up hope	יאוש	and this	והאי	dry	and they dis-
and the dry	והיבש	(a name of a person)	יוחנן	and here	ref
186 to me	לי	day	יום	to him	ליה
together	יכפתנו	to you	לך	go out/fulfilled	יצא
to the generality	לכם		כ	to the lulav	ללולב
like					למשה
to Moshe/for a weight	למקדש	here	כאן		
as we have learnt	לעולם	worthwhile really			כדקתני
at all/gen	לצד	all of it	כל	to Rovo (Amora)	לרבה
of sover/money	כסף	why	מאי		
to enlighten/ (r	מבעי		מבי	as fitting	כראי
need/require	משה	it is suitable	משה	he is suitable	כשרה
like	מביעין	we add	מביעין	we need	מיביעין
from them	ל	from her	מינה	no	לא
to a man	מיעוט	to another	לאחר	let us differentiate	מיפלגי
words from here	לדברי	we asked a question	מיתבי		
to that one	מלמעלה	to her	ממון		
from it	מנה	to return it	להחזירו	who	מני
from its e	להקל	how do we know	מנלן	accompany	לווי
specifically	מסיקה	to its friend	מעינינו		
found/can	קאמר	found/can	מצי	minor/small	קטן
light	קבל	light	קל	place	מקום
from that which is	קרא		ר	משלכם	yours
ask	ראשו	ask	מתיב	first	ראשון
make fit	נחל	big /Rabboh (Amora)	רבה	(name)	נחמן
inclusion	רבנן	difrentiate	ניפלוג	All-Merciful	רחמנא
marriage	ש		ס		
reckon/t	שאינן	he thinks	נתתי	which/that/because	ש
Tabernacle	שברוה	which are of them	שבהן	Tabernacle	סוכה
equal/worth	סתם	which is	שהיה		יה
on/regarding	שיהא	root/main point	עיקרו	that he will return	שיחזירנו
which is not	עסקינן	of	של	tree	עץ
we	שמע	myrtles	ערבי	year / year	שנא
Orleh (first 3 years)	שנים	open with	פוחתינן	good/fine	שפיר
fruit	פסול	two	שתיים	it is invalid	פסולה
decide	תחת	detail	פרט	refutation	תויבתא
undeci	תנא	palms	ציני	regarding Tannaim	תנאי
we	ק	--we learnt in a Mishna	תנן	surly (emphasis)	ק
su	XT:10	.XB:10	.H: The First Levels	Part 5	General Guidelines
.H:....	.H:	.F:	.F:...		

PART 5

example, שאפר כירה מוכן הוא (ביצה ב).

Sometimes, a phrase can mean one thing in one place and something else in a different place. For which is itself a חרש.

The Tannaim would often speak on couched terms. Therefore, if necessary, the Gemora can interpret the הכא במאי עסקינן or קאמר.

However, the Amoraim explain clearly what they want to say. Therefore their words are not usually. Before the Gemora asks a question on a Mishna or B'raisah, it first clarifies the accuracy and meaning. Usually, only the opinion of a Tanna can be used to refute an Amora. However, An the opinion of

Sometimes, a question can be answered in several ways, but the Gemora only bothers to give one. 192 (Sometimes, the Gemora prefers to ask a question or answer a question by basing itself on a quotation from a Mishna instead. This is because it is more reliable to take פסק from a רב מעשה ת

SOME GUIDELINES TO PSAK HALACHA

Nowadays, we do not rely on decisions of the Mishna, even when the Mishna says that the Halacha. The Halacha is usually like an anonymous Mishna.

When a matter is first quoted in one Mishna as an anonymous halacha and then quoted in a later Mishna. But when a matter is first quoted in one Mishna as the subject of an argument and then quoted in a

These two rules apply only to Mishnayos within one Mesechta.

If an Halacha is quoted anonymously in a Mishna but is the subject of an argument in a Braisah, then. If a Mishna quotes an Halacha by-the-way, out of context, then the Halacha is like that quote.

The Halacha is like those quoted in Mesechta עדיית

When the Mishna says, העיד רבי פלוני or באמת אמרו, the Halacha is like that opinion, though sometimes. When the Mishna quotes an opinion at the beginning of a chapter in the form אמר ר' פלוני, the halacha is like that opinion.

Similarly, in the Gemora, when an halacha is quoted in the form תנא דבי רבי פלוני, the halacha is like that opinion.

In a Mishna, when an argument is resolved by a third Tanna who sides with one of the opinions, then. Some say that according to this rule, third Tanna must agree completely with the one side he supports.

193 We do not decide in favour of a Talmid against his Rabbi. But this rule only applies up to the contradicts that of his Rabbi. Whenever the Gemora says איכא דאמרי, the halacha is like that second Torah and like the less stringent regarding matters of the Rabbonim.

Usually, whenever a statement is quoted לאפוקי (to reject) an opinion, then the halacha is not like that. The halacha is not like an opinion which has been refuted in the form תיבתא דפלוני תיבתא.

Whenever the Gemora says, תניא כוותיה דפלוני, the halacha is like that opinion.

In a Mishna, whenever two Tanna'im argue over the opinion of a certain Tanna, that halacha is a young and the second one heard it when that Tanna was old.

194 .XT:0 .XB:0 .H: The First Levels Appendix The Importance of History .H:... .H: Many of the discussions of the Gemora centre around the seniority, and there the degree of authority. Also, when learning the various Commentaries and Poskim, in order to appreciate their inter-activities. You should therefore read about the history of our people, especially noting the periods when the The following history books are especially orientated to help people learning Gemora:-

Torah Nation Rabbi M. Miller Challenge of Sinai Rabbi Z. Fendel Anvil of Sinai Jewish People The Second Temple Era Artscroll History Series The Early Rishonim Arts The following books are also useful:-

Aiding Talmud Study (see charts at the back of the book) Rabbi A. Carmell Atlas of the Jewish 107 .H: The First Levels Appendix The Importance of History .H:... .F:... .F:...\$\$\$... . Creation 0 Death of Odom HaRishon 930 1000 The Flood Birth of Yitzchok 2048 \ Went down to Mitzrayim 2238 Greece first part of Israel 2488 / שופטים { \ Bir

{נביאים		10 Tribes taken to captivity	3205	Rome founded 1st. Bai
Alexander the Great	זוגות {	Miracle of Chanukah	3622 -	Hillel & Shammai
Rebbi Yehuda HaNasi (Mishna)	3940 /		4000	אמראים { Ravina & Rav
{רבנו סבראי	/			גאונים {
Rashi	4800	Birth of Rambam	4895	The Crusades 5000 ראשונים {
Vilna Gaon/Baal Shem Tov	5530	1776	USA War of Independence	אחארוניים {
5756				