

Daf Notes

Insights into the Daily Daf
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Produced by Rabbi Avrohom Adler
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Daily Daf

Mishna

If a person who is *tamei* eats *cheilev*, (forbidden fats of an animal that was slaughtered) and the fats were *nossar* (left over from *kodoshim*, consecrated sacrifices), and the eating occurred on *Yom Kippur*, he will be liable four *chatas* offerings and one *asham* offering. [He is liable for the prohibition of a *tamei* eating food that is consecrated, for eating *cheilev*, for eating *nossar*, and for eating on *Yom Kippur*. He is also liable an *asham* offering because he has been *mo'el b'hekdes*, using consecrated property illegally.] Rabbi Meir maintains that if the act occurred on *Shabbos* and he carried the food in his mouth outside, he is liable for transgressing the *Shabbos*. [Rabbi Meir maintains that although he has violated the prohibition of carrying on *Shabbos*, eating catalyzed the sin.] The Sages, however, said to him that the sin is carrying and not related to the eating. (13b)

Prohibition Taking Effect upon an Existing One

The *Gemora* asks: May we infer that Rabbi Meir holds that a prohibition can take effect upon another preexisting prohibition (and that is why he is liable to bring a separate *chatas* for *cheilev*, *nossar* etc.)?

The *Gemora* answers: Although he may hold that a prohibition cannot take effect upon another preexisting prohibition, he does, however, hold that an inclusive prohibition or an extensive prohibition can take effect upon another preexisting prohibition. [An inclusive prohibition – *issur kollel*, does not add anything to the previous prohibition, but includes more

objects in the present prohibition upon the effected person; e.g., neveilah is prohibited; when Yom Kippur arrives, it prohibits not only neveilah, but also previously permitted foods; Yom Kippur does not make the neveilah prohibited in any way except as food, but it includes in its prohibition other foods apart from this neveilah. An extensive prohibition – issur mosif, adds something to this present prohibited object, making it more extensively prohibited; e.g., cheilev (forbidden fat) of an offering is prohibited to be eaten, but may be offered on the Altar; when it becomes nossar (by being kept beyond the time limit for its offering), it is prohibited to be offered on the Altar. The prohibition of nossar takes effect on the cheilev (which was permitted so far as the Altar is concerned), so that it may not now be offered on the Altar; and since the prohibition of nossar takes effect on the cheilev (so far as the Altar is concerned), it therefore takes effect on it so far as human consumption is concerned as well; so that a man eating it now is liable both for cheilev and nossar.]

The *Gemora* explains how that applies here: To a person who is *tahor*, only *cheilev* is prohibited; when he becomes *tamei*, since the other parts of the animal become forbidden to him (for a *tamei* person is forbidden, under pain of *kares*, from eating sacrificial meat), this prohibition embraces the *cheilev* as well. [That is an example of an inclusive prohibition, for it includes more prohibitions on the person.] Then, *cheilev* is forbidden for consumption only; when consecrated, since it becomes prohibited for benefit as well, this more extensive prohibition (of eating) takes effect on *cheilev* as well. [That is an example of an extensive prohibition, for it includes more prohibitions on the object.] It is still, then, forbidden for

personal use only but not for the altar (*as the sacrificial parts emurin – of an animal gets burned on the altar*); when it becomes *nossar*, it becomes forbidden also for the altar - this more extensive prohibition applies also in respect of personal use. Again, if it occurred on *Yom Kippur*, since there is added a prohibition which is more inclusive in that it applies also to ordinary, nonsacred food; it applies also to the things dedicated to the Most High. (14a)

Why not Add Piggul?

The *Gemora* asks: But then why not state a case where he is liable for five *chatas* offerings, namely when he ate an olive-size of *piggul* (from a different offering as well)?

The *Gemora* answers: The *Tanna* speaks of one animal and not of two, and the meat of one and the same animal cannot be *nossar* and *piggul* at the same time (for the sacrifice is rendered *piggul* during the blood services – such as the slaughtering or the sprinkling of the blood; once it has been rendered *piggul*, it is disqualified for the altar and cannot be eaten; it therefore cannot become *nossar* – which is meat that was supposed to be consumed, but instead, it was left over beyond its designated time).

The *Gemora* asks: But why not? Is it not possible where a limb of *piggul* was (illegally) offered upon the altar, in which case its disqualification of *piggul* is lifted, and it can thus become *nossar*, as Ulla said: A *kometz* (fistful) of *piggul* that was placed on the altar loses its status of *piggul*, and it may then become *nossar*?

The *Gemora* answers: The *Tanna* speaks of one limb and not of two limbs, and one and the same limb cannot be *nossar* and *piggul* at the same time.

The *Gemora* asks: But why not? Is it not possible where a limb of *piggul* was offered upon the altar, partly resting upon the altar and the other part was left off, so that the portion which rested upon the altar loses its *piggul* disqualification and may become *nossar*, in accordance with Ulla, who said: A *kometz* (fistful) of *piggul* that was placed on the altar loses its status of *piggul*, and it may then become *nossar*?

He said to him: It is not possible, for if the majority portion rests upon the altar, the entire limb should be cast onto the altar; and if the majority portion is left off the altar, the entire limb should be cast off the altar.

The *Gemora* asks: But then you could resolve from here the inquiry of Rami bar Chama as to whether we apply the principle of 'the majority' with regard to limbs or not?

The *Gemora* therefore answers differently (*as to why it cannot be referring to piggul*), for the *Tanna* speaks of one olive-size and not of two.

The *Gemora* asks: But is this indeed so? Does he not deal with *Yom Kippur*, where the requisite amount to be liable is the size of a date, and a date corresponds to two olive-sizes?

Rabbi Zeira answers: It is referring to a case where he ate of a kidney together with the *cheilev* attached to it.

Rav Pappa said: He supplemented the *cheilev* with dates (to reach the minimum amount for liability for eating on *Yom Kippur*).

Rav Adda bar Acha indeed cited an alternate version of the *Mishna*, which said that he will be liable for five *chatas* offerings, and explains it as dealing with a case where he ate an olive-size of *piggul* as well, rejecting the other answers given above.

The *Gemora* asks: But then why not state a case of six *chatas* offerings, and explain it as dealing with a case where he ate in addition (to the olive-size of *cheilev* that is also *nossar* and an olive-size of *piggul*) an olive-size of blood?

The *Gemora* answers: The *Tanna* speaks of one act of eating and not of two, and the Rabbis have reckoned that the throat cannot hold more than two olive-sizes at one time. (14a)

Shabbos and Yom Kippur

The *Mishna* had stated: Rabbi Meir said etc. [that if the act occurred on *Shabbos* and he carried the food in his mouth outside, he is liable for transgressing the *Shabbos*].

The *Gemora* asks: Why did he not simply state: If he carried it out, he is liable (*being that it is Yom Kippur*); why did he need to say that it refers to *Shabbos*?

Rafram said: This proves that the laws concerning *eruv* (*carrying items in an enclosed courtyard, which is Rabbinically forbidden on Shabbos*) and transferring (*transporting something from a private domain to a public thoroughfare and vice versa*) apply to *Shabbos* and do not apply to *Yom Kippur*.

The *Gemora* asks: How is this proven? Maybe the laws concerning *eruv* and transferring apply to *Yom Kippur* as well, and the *Mishna* should be understood as follows: If it was *Shabbos* and he carried it out, he is liable on account of *Shabbos* as well as *Yom Kippur*?

Rather, the *Gemora* states: If the statement of Rafram was made, it was with reference to the following *braisa*: *And he (the Kohen Gadol on Yom Kippur) shall send it (the Azazel goat) away with a designated man; 'man' implies that also a non-Kohen is qualified; 'designated' implies even if he is tamei, and even on Shabbos, and it should be someone who was designated for it.*

Rafram remarked: This proves that the laws concerning *eruv* and transferring apply to *Shabbos* and do not apply to *Yom Kippur* (for otherwise, why would it be necessary to teach that the goat may be carried on *Shabbos*; if it may be carried on *Yom Kippur*, then it can be carried on *Shabbos* as well)!

The *Gemora* asks: How is this proven? Maybe the *Azazel* goat is an exception, for its whole validity is bound up with *Yom Kippur*?

The *Gemora* concludes that Rafram's statement is an outside opinion. (14a)

Mishna

One may by one act of cohabitation become liable to six *chatas* offerings. How is this so? If one cohabits with his daughter, he can be guilty of violating the prohibition against his daughter, his sister, his brother's wife, his father's brother's wife, a married woman and a *niddah*. [*This can occur in the following case: A daughter, Rochel, was born from his, Yaakov's, incestuous relationship with his own mother. She then married his brother and after his brother's death, his father's brother. Yaakov then cohabited with Rochel while she was a niddah. This violates five prohibitions. Rochel is Yaakov's daughter. She is his sister (they both have the same mother). She is his brother's wife, and the wife of his father's brother. She was also a niddah at that time.*] (14a)

Same Woman – Many Prohibitions

The *Gemora* asks: But doesn't Rabbi Meir hold that a prohibition cannot take effect upon another preexisting prohibition?

The *Gemora* answers: Although he generally holds that a prohibition cannot take effect upon another preexisting prohibition, he admits, however, that a prohibition, which is more inclusive (or like the *Gemora* will explain: a simultaneous prohibition) or more extensive, can take effect on an already existing prohibition.

The *Gemora* explains how that applies here: He cohabited with his mother who bore him a daughter, so that she becomes forbidden to him simultaneously as his daughter and his sister. When she marries his brother, since she becomes prohibited also to her husband's other brothers, this extensive prohibition becomes operative also with reference to himself. When she then married his father's brother, since she becomes prohibited to the other brothers of his father, this extensive prohibition becomes operative also with reference to himself. And now, as a married woman, she becomes prohibited to the whole world (even non-relatives), this extensive prohibition becomes operative also with regard to himself. Finally, as a *niddah*, since she becomes forbidden even to her own husband, this extensive prohibition becomes operative also with reference to himself. (14b)

Mishna

If one cohabits with his daughter's daughter, he can be guilty of violating his daughter's daughter, his daughter-in-law, his wife's sister, his brother's wife, his father's brother's wife, a married woman and a *niddah*.

Rabbi Yosi said: If the old man (*her great-grandfather*) had committed a transgression and married her, he may become guilty for violating the prohibition of his father's wife.

And likewise, if one cohabits with his wife's daughter or with her daughter's daughter. (14b)

More Prohibitions

We learned in our *Mishna*: He may become guilty for violating the prohibition of his father's wife.

The *Gemora* asks: Was she then permitted to him? [*Since she was married to his brother, she is forbidden to him on account of being his brother's wife; that would cause a future marriage between the two to be invalid. Accordingly, how can Rabbi Yosi say that the grandfather is violating the prohibition against cohabiting with his father's wife?*]

Rabbi Yochanan replied: Rabbi Yosi is referring to a case where she fell to him for *yibum*.

The *Gemora* asks: If so, what does it mean that he committed a transgression?

Rabbi Yaakov answers: He committed a transgression in that she was his son's daughter-in-law, which is a secondary *ervah* (a Rabbinical prohibition), as it has been taught in a *braisa*: A daughter-in-law is a Biblical *ervah*; the daughter-in-law of his son is forbidden as a secondary *ervah*. The same true by the son of his son, the son of his son's son until the end of all generations.

The *Gemora* asks: But does Rabbi Yosi indeed hold that one prohibition can take effect upon another preexisting prohibition, have we not learned in a *Mishna*: If one committed a transgression where he is liable for two types of execution, he is subjected to the one which is more severe. Rabbi Yosi said: He is subjected to the one which first came upon him. And Rabbi Yosi explains in a different *braisa*: If the woman was first his mother-in-law and later became the wife of another man, he is subject to the mother-in-law prohibition. If the woman was first the wife of another man and later became his mother-in-law, he is subject to the wife of another man prohibition.

Rabbi Avahu answered: Although Rabbi Yosi maintains that one prohibition does not take effect on an existing prohibition; however, he agrees that the second prohibition can take effect if it is a more extensive prohibition.

Also when Ravin came (from *Eretz Yisroel*) he said in the name of Rabbi Yochanan: Rabbi Yosi admitted when the new prohibition is more extensive.

The *Gemora* asks: But in which respect is it more extensive here?

The *Gemora* answers: The old man (the great-grandfather) had another son, and as the new prohibition (of the father's wife) comprises also the other son, it becomes operative with regard to him as well. (14b)

Mishna

If one cohabits with his mother-in-law, he can be guilty of violating the prohibition against his mother-in-law, his daughter-in-law, his brother's wife, his father's brother's wife,

his wife's sister, a married woman and a *niddah*. And so too, (he can be liable for six *chatas* offerings) if one cohabits with his father-in-law's mother or with his mother-in-law's mother.

Rabbi Yochanan ben Nuri said: If one cohabits with his mother-in-law, he can be guilty of violating the prohibition against his mother-in-law, his mother-in-law's mother and his father-in-law's mother.

They said to him: All these three are of one denomination (and are included in the same prohibition). (14b)

Variations of the Same Prohibition

Rabbi Elozar said in the name of Rabbi Hoshaya: Rabbi Yochanan ben Nuri and Sumchos said the same thing (that it is regarded as three separate violations, even if they are variations of the same prohibition): Rabbi Yochanan ben Nuri as stated above. As to Sumchos, we have learned in a *Mishna*: If he slaughtered it and then its calf's offspring and then the calf, he incurs forty lashes. Sumchos said in the name of Rabbi Meir: He incurs eighty lashes. (14b – 15a)

DAILY MASHAL

Turnaround

Ulla says: A *kometz* of *piggul* that was placed on the Altar loses its status of *piggul*. Accordingly, if half of a *kometz* that was *piggul* was on the ground and half was burned by the fire of the Altar, we put the half that is on the ground on the Altar as well.

Evidently, the Altar has in its power to take a hold of something completely rejected (*piggul*) and elevates it from its prohibited status, and to turn it around that it is now permitted to offer it up on the Altar.

So too, this applies to a person, says the Sifsei Tzadik. A person possesses a spark of *kedushah* within him, and he can merit through this a complete turnaround – he can elevate his status before Hashem that he will be regarded as “bread of the Altar.” This can be done through strengthening oneself in even one area, one *mitzvah*, one act of Godliness.