

Daf Notes

Insights into the Daily Daf

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Daily Daf

Continuation of Tumah, or Not?

It has been taught in a *braisa*: Beis Hillel said to Beis Shammai: It is written: *or for a daughter*; to include the eve of the eighty-first day (*that she is liable to bring a second offering*).

Rabbi Hoshaya was a frequent visitor to Bar Kappara; he then left him and went to Rabbi Chiya. One day, Rabbi Hoshaya met Bar Kappara and asked him: If a *zav* had three emissions during the eve of the eighth day, what would be the view of Beis Hillel in this case? [A *zav* (a man who has an emission similar but not identical to a seminal discharge; if he experiences three emissions, he is classified as an *av hatumah* and must observe seven clean days and then he immerses himself in spring water, and he brings offerings on the eighth day) would normally be required to bring his offerings on the eighth day; here, where he experienced another three emissions on the eve of the eighth day, the inquiry is whether these emissions are a continuation of the first set and he needs to bring only one set of offerings, or perhaps, since he completed the seven clean days, it is a new *tumah*, and he would be required to bring two sets of offerings.] Is the reason of Beis Hillel in the case of a miscarriage on the eve of the eighty-first day because it is written: *or for a daughter*, but in the case of a *zav*, there will be no requirement to bring a second offering, since there is no superfluous verse in connection with it; or perhaps, there is no difference between these two cases?

Bar Kappara replied to him: What does *Iya* (a derogatory nickname for *R' Chiya*) say about this matter? Rabbi Hoshaya was silent and said nothing. Rabbi Hoshaya then asked Bar Kappara regarding a different topic (*which we do not know what it was*),

and then Bar Kappara said to him: What does the Babylonian (*R' Chiya*) say about this matter? Rabbi Hoshaya was silent again. Bar Kappara then said to him: We have still to depend upon the words of *Iya*!

The *Gemora* suggests that this is a point of dispute between the following *Tannaim*: If a *zav* had three emissions during the eve of the eighth day, one *braisa* teaches: He has to bring a second offering, whereas another *braisa* teaches: He does not bring another offering. Now, do they not differ in the following: The one which teaches that he is liable (*to a new offering*) holds that the night is not regarded as being premature (*and the obligation for the bringing of the offerings has become due – even though, technically, the sacrifice cannot be offered at night*), and the one which teaches that he does not bring another offering maintains that the night is regarded as being premature (*and he has not yet reached the time of the obligation for the offering, and therefore the new emissions will be considered a continuation of the first ones*).

Rav Huna bar Acha (*rejects the above reasoning, and*) said in the name of Rabbi Elozar: These *Tannaim* hold that the night is regarded as being premature, and the *braisa* which teaches that he is liable, deals with a *zav* of two emissions (*initially, and now experienced three emissions; since he wasn't liable in any offerings beforehand, he is obligated for the new emissions*), and the *braisa* which teaches that he is exempt deals with a *zav* of three emissions (*initially, and since the night of the eighth day is regarded as premature, he is not yet obligated in the offerings from the first set; the new emissions are therefore regarded as a continuation of the first set*).

The *Gemora* asks: But is the case of a *zav* of two emissions necessary to be stated?

The *Gemora* answers: The *braisa* is informing us that only when he experienced these emissions on the eve of the eighth day (*will he be liable for an offering*); but if (*he experienced them*) on the seventh day, he is not liable (*for any offerings*), for he maintains that an emission which cancels the period of *taharah* (*like emissions on the seventh day do*) does not render one liable to an offering. (8a)

Mishna

A woman who had five doubtful childbirths (*if she miscarried five times and in each case, it was unknown whether the miscarriage was a human fetus or some other object; in the former case the woman would be obligated to bring two offerings (an olah and a chatas) after becoming tahor; in the latter case, she would not*), or five doubtful *zivahs* (*a woman who sees blood during the eleven days which followed her seven days of niddah; if she sees for three days in a row, she is a major zavah and she must count seven clean days and becomes tahor after immersing in a mikvah; in this case, she bled three consecutive days for five months, but she is uncertain whether the discharge occurred during her seven days of niddah or during the eleven days following that; in the latter case, she is obligated to bring two offerings – two birds, one an olah and the other a chatas*); she brings one set of offerings and may subsequently eat of sacrificial meat. She is not obligated, however, to bring the other four offerings. If, however, she had five definite childbirths or five definite *zivahs*, she brings one offering (*to become tahor*) and may subsequently eat of sacrificial meat, but she is obligated to bring the other four offerings.

There once was an incident where the price of a pair of birds in Yerushalayim had risen to *dinrei* gold. Rabban Shimon ben Gamliel exclaimed, “By this House (*referring to the Temple; this is a type of oath*), I shall not go to sleep this night until the price of these birds will go down to *dinarim*.” He entered the *Beis Din* and taught the following: A woman who had five definite childbirths or five definite *zivahs*, she brings one offering (*to become tahor*) and may subsequently eat of sacrificial meat, and she is not obligated to bring the other four offerings. The price of birds fell that day to one-quarter of a (*silver*) *dinar* (*which is one hundredth of the original price, for there are twenty-five silver dinarin in one gold dinar; it emerges that dinrei refers to gold and dinarim refers to silver*). (8a)

Definite and Doubtful Offerings

The *Gemora* cites a *braisa*: If a woman had five certain cases of *zivah* and five doubtful ones, or five certain cases of childbirth and five doubtful ones, she brings two pairs of birds - one for the certain obligations and one for the doubtful cases. The one offered for the certain cases may be eaten, and it is still incumbent upon her to bring the remaining offerings (*for the four certain ones*), and the one offered for the doubtful cases is not eaten, and she is not obligated to bring any more offerings (*for she only needs to bring an offering to remove her state of tumah, and that has been accomplished with the one offering brought*). Rabbi Yochanan ben Nuri said: For the certain cases she shall stipulate as follows: The offering is for the last occurrence (*of zivah or childbirth*), and she will be exempted (*temporarily from any other offerings*), and for the doubtful cases, if there is a certain one among them, she shall say that the offering is for the one that is definite, and she is exempted (*from any other offering, for he maintains that one chatas can suffice for definite and doubtful cases*); and if not (*that there is no definite obligations amongst them*), she says that the offering is for any one of the occurrences and she is exempted. Rabbi Akiva said: Both in the instance of the certain cases and in that of the doubtful ones she shall say that the offering is for any one of the occurrences (*for she does not need to say that it is for the last one*) and she is exempted.

Rav Nachman bar Yitzchak said to Rav Pappa: I shall tell you in the name of Rava in which point these *Tannaim* differ: Rabbi Yochanan ben Nuri compares these instances to those of *chatas* offerings: Just as when one is liable to five *chatas* offerings, he has not fulfilled his obligation before all have been offered, the same is the ruling in our case. Rabbi Akiva, on the other hand, compares them to immersions; just as if one requires five immersions, as soon as he has immersed once he is *tahor*, the same is the ruling in our case.

Rav Pappa replied to him: If it should enter your mind that Rabbi Yochanan ben Nuri compared our instances to those of *chatas* offerings, why does he maintain that for doubtful cases she shall say the offering is for any one of them, and she is exempted? Suppose one was liable to five *asham taluy* offerings, would he indeed be exempted if he offered only one? Has it not been taught in a *braisa*: This is the general rule: Whenever there is a differentiation with regard to *chatas* offerings, there is also a differentiation with reference to *asham taluy* offerings?

Rather, both compare our instances to that of immersion, and they differ as to whether we concerned for negligence. Rabbi Yochanan ben Nuri holds that it might lead to negligence (*if she doesn't declare that she is bringing it for the last occurrence*).

Rabbi Akiva holds that we are not concerned for negligence. (8a – 8b)

WE SHALL RETURN TO YOU, SHELOSHIM V'SHEISH

Mishna

There are four who lack atonement (*they must bring a chatas before they may partake of sacred things*), and there are four that bring an offering for an intentional sin just as they would for one that was committed inadvertently. And these are those who lack atonement: A *zav*, *zavah*, a woman who has given birth and a *metzora*.

Rabbi Eliezer ben Yaakov says: A convert as well requires atonement (*and may not eat of sacred things*) until the blood (*of the sacrifice*) has been sprinkled (*on the altar*). (8b)

Zav, Zavah, Metzora and Metzora'as

The *Gemora* explains that there are differences in *halachah* between a *zav* and a *zavah*, and that is why they are counted as two. There are differences between a male *metzora* and a female one, but they are only counted as one.

The *Gemora* notes the differences:

Zav	Zavah
External causes do not render him <i>tamei</i>	She is rendered <i>tamei</i> even if the flow was caused by external causes
He is rendered <i>tamei</i> when he experiences three emissions – even on the same day	She is only <i>tamei</i> if her discharges were seen on three different days

Male Metzora	Female metzora
A confirmed <i>metzora</i> must rend his garments and let his hair grow	She does not rend her garments and she does not let her hair grow
He cannot engage in marital relations	She may engage in marital relations

The *Gemora* concludes that the *tumah* of a *zav* and a *zavah* are distinct from each other, but a male *metzora* and a female one are not distinct, for both of them become *tamei* when the affliction is at least the size of a *gris* (*half a bean*). (8b)

INSIGHTS TO THE DAF

The first to bring sacrifices when the Temple will be built

By: Meoros HaDaf HaYomi

Our Gemara explains that a gentile who wants to convert requires circumcision, immersion in a *mikveh* and a sacrifice, and as long as he doesn't bring a sacrifice, he is not allowed to eat *kodoshim* or marry a Jewess. That is how many Rishonim explain our Gemara (see *Shitah Mekubetzes*, os 3). However, as long as we don't have the Temple, the Torah decrees that his conversion is valid even without bringing a sacrifice.

A fine question was asked by the Acharonim. What should a convert do if he converted when the Temple existed and before he managed to bring a sacrifice, it was destroyed? Is he forever forbidden to wed a Jewess?

Substituted or a temporarily suspended: This question was not asked merely in theory. HaGaon Rabbi Yaakov Yitzchak Rabinovitz zt"l, known as Rabbi Itzele Ponovizher, and HaGaon Rabbi Zalman Sender Shapira zt"l corresponded concerning this question, which constitutes a sticking point between two opinions of the Rishonim to understand the process of conversion while we don't have the Temple. Their statements indicate that there are two different ways to understand how the process of conversion can be complete without a sacrifice. It's possible that the Torah decreed that the limitations applying to a convert who didn't bring a sacrifice are temporarily suspended when we don't have the Temple and therefore he is permitted to wed a Jewess. It's also possible that the Torah determined that when we have the Temple, certain limitations are removed from the convert when he brings a sacrifice while when the Temple is destroyed, these limitations are removed when he immerses.

What about converts when the Temple will be built? The most practical implication between these two approaches is what will be the *halachah* regarding converts when the Temple will be rebuilt? If the said limitations did not completely disappear but were temporarily suspended due to the absence of the Temple, then from that day on a convert must not wed a Jewess until he brings a sacrifice. However, if we follow the other opinion, that the immersion substitutes the sacrifice if it cannot be offered, then although converts will have to bring a sacrifice because when they converted, they became obligated to bring a sacrifice of conversion, but they won't be forbidden to wed a Jewess when

the Temple will be built as they were already permitted to do so by means of their immersion.

If we examine the Rishonim, we find that these two definitions serve as two sides for a difference of opinions. *Tosfos Yeshanim* wrote (9a) that the statement in our Gemara, that converts must put aside money to buy sacrifices for when the Temple will be built, is due to the extreme necessity of the sacrifice as it permits them to wed a Jewess. We thus see that, in his opinion, the limitations are not entirely removed for converts nowadays but are suspended as long as they cannot be removed with a sacrifice. Rambam's definition of the convert, however, indicates that he does not maintain such. Rambam states (*Hilchos Mechuserei Kaparah* 1:2) that as long as a convert doesn't bring a sacrifice, he is not "like kosher Jews" but as soon as he brings a sacrifice, "he becomes a kosher Jew." Thus, in his opinion, bringing the sacrifice does not only remove limitations from him but elevates him to become a "kosher Jew". Since nowadays immersion replaces the sacrifice and he already became a "kosher Jew", it is unreasonable to assume that when the Temple will be rebuilt, converts will suddenly lose their status and stop being "kosher Jews" until they bring a sacrifice. If so, in Rambam's opinion, when we don't have the Temple, the limitations are **entirely removed** by means of immersion.

Another implication is apparently indicated between the two possibilities – namely, the case we addressed at the beginning of this article – a gentile, who converted when the Temple existed, was circumcised and immersed but before he had a chance to bring a sacrifice, the Temple was destroyed. If we follow the first opinion, he is allowed to wed a Jewess as these limitations are suspended whenever there's no possibility to offer a sacrifice. But according to the second opinion, that the immersion substitutes the sacrifice, then this convert already immersed and his immersion did not remove the said limitations from him because at that time the Temple existed and the immersion did not substitute the sacrifice. Is he forever forbidden to marry a Jewess?

Rabbi Itzele finds a solution for this convert: he should immerse again for his conversion. Now that the immersion can enable him to wed a Jewess, he should immerse again for conversion and his problem will be solved... (Responsa *Zecher Yitzchak*, new edition, 28-30; we should mention that his whole statement explaining Rambam's wording is according to his opinion, that Rambam also holds that a convert must not wed a Jewess in the Temple era before he brings a sacrifice; however, some Acharonim concluded differently from a contradiction in Rambam's words, that he may wed a Jewess according to the Gemara's conclusion; see *Sefer HaMaftaich* on Rambam)

DAILY MASHAL

Price Mongers

In later generations we find many cases in which the great Jewish Rabbis issued regulations to counter overpricing, the most famous of which was the one by Rabbi Menahem Mendel Krochmal, author of the response *Tzemach Tzedek*, against the overpricing non-Jewish merchants who saw that Jews buy fish for *Shabbos* at all costs, and overcharged for them. Rabbi Menahem Mendel declared that fish should not be bought for *Shabbos* for two months, so that the merchants should see that if they hike up the price, the Jews will not buy from them.

His disciples asked him from the *Gemora* in Beitzah (16a) which states that a person's income is fixed from Rosh HaShanah until the next *Rosh Hashanah*, and the *Gemora* there (15b) states: HaShem says to the Jewish People: "My sons, borrow on my account, and sanctify the holiness of the day, and trust in Me and I will repay your debts." [*This teaches us that if one cannot afford to pay for his Shabbos and Yam Tov expenses, he should borrow and trust that HaShem will provide for him to repay what he has borrowed.*] Accordingly, why should it concern us that the merchants raised the price? People should pay for the fish whatever it costs, and Hashem will repay them!?

He answered them from our *Mishna*, and explained that there are some poor people that have no money whatsoever. Such people we cannot tell them to buy at whatever cost, for they do not have money to buy with. And although it is said to borrow and Hashem will repay – that is only if one has money but it was earmarked for something else; however, one with no money at all should not borrow and rely on a miracle to be able to repay that which he borrowed.

A Source in the Verse

The *Mishna* recounts that when birds became expensive, Rabban Shimon ben Gamliel ruled that a woman who bore several children could suffice with one sacrifice. How could he rule against the halachah? A brief examination of the verses reveals that the Torah hinted such. After the Torah explains the halachos of a rich woman, it concludes "This is the Torah of the woman who bears a male or a female", from which Chazal learned (9a) that she must bring a separate sacrifice for each birth. Only afterwards the Torah added, "...and if she can't afford a lamb", that a poor woman only brings birds. We learn from the order of the verses that in an instance of poverty there's no need for her to bring a sacrifice for each birth! (*Harchev Davar, Tazria'*)