



Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

Daf Notes is currently being dedicated to the neshamot of

**Moshe Raphael ben Yehoshua (Morris Stadtmauer) o”h**

**Tzvi Gershon ben Yoel (Harvey Felsen) o”h**

May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

### **Scriptural Sources**

The *Gemora* had concluded: Rabbi Yishmael must be referring to the communal-error bull and the goat brought for idolatry. The *kal vachomer* is as follows. If a bull and goat, which are two different animals, have the same laws regarding service, certainly the bull of *Yom Kippur* and the bull of the anointed *Kohen* (and by extension the communal-error bull) which are both bulls should have the same laws! And then the bull of *Yom Kippur* is derived through this *kal vachomer* from the bull of the anointed *Kohen* regarding the *halachos* of *Es* (*etzba’o* - teaches us that if a *Kohen* has a growth on his finger, it is not considered a *chatzitzah* (interposition) between his finger and the blood), *b’dam* (which teaches us that the amount of blood accepted in the vessel must be enough for the *Kohen* to dip his finger into the blood; as opposed to blood being gathered in separate vessels and being combined later to form this amount), *v’taval* (which teaches us that he must dip his finger into the blood to get it, as opposed to wiping it off the side of the vessel). And the goat of *Yom Kippur* is derived from the goats brought on account of idolatry, through this *kal vachomer*.

But, the *Gemora* asks, can that which is learnt through a *hekesheh* then in turn teach a *kal vachomer*?

Rav Pappa answers: The *Tanna* of Rabbi Yishmael’s Academy holds that that which is learned through a *hekesheh* can in turn teach a *kal vachomer*.

The *braisa* had stated: *l’par* includes the communal-error bull.

The *Gemora* asks: But that is written in the very text (which discusses the community)!?

Rav Pappa answers: It is because he wishes that the communal-error bull shall teach (through a *hekesheh*) that the goats for idolatry require the burning of the diaphragm and the two kidneys on the Altar; yet that is not written explicitly in the actual passage regarding the communal-error bull, but is learned through a *hekesheh*; therefore *l’par* is needed, to make it as though it were written explicitly in the actual text, and therefore it should not be a case of what is learned through a *hekesheh* in turn teaching through another *hekesheh* (which is not a proper derivation).

The *Gemora* cites a *braisa* which supports Rav Pappa: And he shall do (with the communal-error bull) as he had done (would have been sufficient); why does the Torah state, with the bull? It is because it is written: And they have brought their offerings, a fire offering to Hashem (and their *chatas* offering before Hashem for their unintentional sin). Now, their *chatas* offering refers to the communal goats for idolatry, while their unintentional sin alludes to the communal-error bull. Therefore when the verse says, their *chatas* offering in juxtaposition with their unintentional sin, the Torah is teaching us that their *chatas* offering (the communal goats for idolatry) should be treated as their unintentional sin (the communal-error bull) regarding the burning of their sacrificial parts. [The *hekesheh* teaches us that the diaphragm and kidneys of the communal goats for idolatry must be burned on the Altar.] But from where have you learned that this is the law regarding their unintentional

*sin (the communal-error bull)? Was it not through a hekesh (from the bull of the anointed Kohen)? Can then that which is learned through a hekesh in turn teach through another hekesh? Therefore the Torah states: to the bull; this refers to the communal-error bull; and when it writes again: to the bull, it alludes to the bull of the anointed Kohen. [The hekesh teaches us that just as the diaphragm and kidneys of the anointed Kohen's bull are burned, so too the diaphragm and kidneys of the communal goats for idolatry must be burned on the Altar. And since it is written again by the communal-error bull, it is as if it is written explicitly, and therefore, we may in turn teach another hekesh to the communal goats for idolatry.]*

The *braisa* had stated: *Their chatas offering* refers to the communal goats for idolatry.

The *Gemora* asks: Why can we not deduce this from the earlier verse, (*regarding the communal-error bull*), for it was taught in a *braisa*: *The chatas* is to include the communal goats of idolatry (*and just as this hekesh compared the laws of the communal-error bull to the communal goats of idolatry regarding the fats to be burned, let it compare the two regarding the diaphragm and kidneys*)!?

Rav Pappa said: It is nevertheless necessary, for I might have thought that the *hekesh* applies only to the sprinklings (*and the fats*) which are mentioned in that very passage; but regarding (*the burning of*) the diaphragm and kidneys, which are not mentioned in that passage, I would say that it is not included in the *hekesh*. Therefore the Torah informs us through the other *hekesh* (*that it applies to the communal goats of idolatry*).

Rav Huna the son of Rav Nassan said to Rav Pappa: But surely the *Tanna* (*of the braisa used to support you*) states that to the bull comes to include the bull of *Yom Kippur* in respect of everything which is prescribed in the text (*by the communal-error bull; and included in that is that all the applications are essential*)!?

Rav Pappa answers: It is a matter of dispute amongst the *Tannaim*, for the *Tanna* of the Academy of Rav includes it in this way (*and not from the verse, to the bull*), while the *Tanna* of the Academy of Rabbi Yishmael includes it in that way.

The Academy of Rabbi Yishmael taught: Why are the diaphragm and kidneys mentioned explicitly in connection with the bull of the anointed *Kohen*, but not in connection with the communal-error bull? It may be compared to a king of flesh and blood who was angry with his friend, but spoke little of his offense, out of his endearment for him.

The Academy of Rabbi Yishmael also taught: Why is the *Curtain of the Holy* mentioned in connection with the bull of the anointed *Kohen*, but not in connection with the communal-error bull? It may be compared to a king of flesh and blood against whom the people of his country sinned. If only a minority sinned, his inner council remains with him, but if the majority sinned, his inner council does not remain with him. (40b – 41b)

### ***Piggul in "Half a Permitter"***

The *Mishna* had stated: Therefore, if he sprinkled all of the sprinklings in a valid manner and did one in an invalid manner, the sacrifice is invalid but does not make one who eats it liable to receive *kares*.

The *Gemora* cites a different *Mishna*: If the *Kohen* had a *piggul* intention at the burning of the *kometz* (*the scoopful of flour*) but not at the burning of the *levonah* (*frankincense*), or at the burning of the *levonah* but not at the burning of the *kometz*, Rabbi Meir says that it is *piggul* (*even though the kometz and levonah together permit the minchah for consumption*), and one is liable to *kares* on its account (*if eaten*), but the Sages say that it is not subject to *kares* unless the *Kohen* has a *piggul* intention for the whole permitter (*which would be during the burning of the kometz and the levonah*).



## INSIGHTS TO THE DAF

### *The Lubliner Rebbe's suggestion*

Rabbi Shimon ben Lakish said: Do not say that Rabbi Meir's reason is because he maintains that you can effect *piggul* even in part of a permitter; rather, the circumstances that we are dealing here with are that the *Kohen* placed the *kometz* on the Altar with a *piggul* intention, and the *levonah* in silence. He holds that when a person does such a thing, he does the last act with the same intention as he had during his first act. How do I know this? It is because the *Mishna* stated: Therefore, if he sprinkled all of the sprinklings in a valid manner and did one in an invalid manner, the sacrifice is invalid but does not make one who eats it liable to receive *kares*. We may infer from here that if he applies one incorrectly and all the others correctly, it is *piggul*. Who is the *Tanna* of our *Mishna*? It cannot be the Sages, for they say that you cannot effect *piggul* during part of a permitter! Evidently, it must be Rabbi Meir! Now if Rabbi Meir's reason is that you can effect *piggul* during part of a permitter, then even in the case of the *Mishna*, it should still be *piggul*! Therefore it must surely be because he holds that when a person does such a thing, he does the last act with the same intention as he had during his first act.

Rav Shmuel bar Yitzchak said: In truth, it may be the opinion of the Sages, and when the *Mishna* said 'correctly,' it meant in the proper manner for effecting *piggul*.

The *Gemora* asks: But since the *Mishna* stated: Therefore, if he sprinkled all of the sprinklings in a correct manner and did one in an incorrect manner, the sacrifice is invalid but does not make one who eats it liable to receive *kares*, it follows that 'correctly' means in a manner to make it fit?!?

Rava answers: What does 'incorrectly' mean? It means with an intention of eating it outside of its place.

Rav Ashi said: It means that he sprinkled the blood not for its own sake. (41b)

On the first *daf* of our tractate we became familiar with the rule "anyone who does (a further action), does so with the intention of the first". In the light of this rule, our *sugya* explains that if a *kohen* thought a disqualifying thought of *piggul* when he took a handful (*kemitzah*) from a *minchah* offering and at the time of its burning (*haktarah*) he was "silent", his *haktarah* is also *piggul* as "anyone who does a further action, does so with the intention of the first". In other words, as he first did *kemitzah* with a thought of *piggul*, even if he thinks nothing afterwards, we assume that his thought remained the same.

Seventy-nine years ago, in 5684, the Lubliner Rebbe, Rabbi Alter Azriel Meir Eiger zt"l, made a revolutionary suggestion to save people from the obstacles of the prohibition of interest. In "a suggestion to the leaders of the generation" published in *Kovetz Derushim* by the Association of Polish Rabbis (Vol. 1, Part 2), he sought to initiate a statute whereby each person would obligate himself before the rabbi of his town that all his future dealings would be subject to the conditions of *heter 'iskah*. His suggestion was considered innovative mainly because of the difficulty to create continuity linking his statement of obligation to a deal at any time in the future. The Rebbe found various supports in complicated *sugyos*, one of them being ours, which explains that "anyone who does (a further action), does so with the **intent of the first**". As a result, all a person's deals will be subject to the intent he expressed before his *rav* (concerning the details of *heter 'iskah*, see at length in *Meoros HaDaf HaYomi*, Vol. 5, Bava Metzia 68a).

The leaders of the generation considered the issue and expressed their opinions in the next volumes of *Kovetz Derushim*. The halachic discussion expanded and the Lubliner Rebbe published some of the replies in his *Takanas Rabim* in 5690. Some Polish authorities, including the Gaon of Lublin

Rabbi Eliyahu Klatzkin, HaGaon Rav Meir Arik, MaharaSh Engel, the Gerer Rebbe (author of *Imrei Emes*) and others tended to agree to the suggestion as a “rescue” in a pressing situation (*b’sha’as hadchak*), with certain limitations. The Lubliner Rebbe finally decided to activate his suggestion with some of the limitations but it didn’t become popular.

In his *Mishnas Aharon* (Responsa, I, 20), HaGaon Rav Aharon Kotler zt”l sets forth a number of differences between the case of our *sugya* and the Lubliner Rebbe’s suggestion: (1) All actions done to a sacrifice complement each other. Therefore “he does so with the intent of the first” as there is a connection between the actions. But a person’s mundane actions have no connection and how should we know if his dealings in Tamuz are done with the intent he thought about half a year ago? (2) In our *sugya* the *kohen* is silent during the second action. We can then say that his current intent is as he expressed it at first. This logic does not exist in a deal where the partners are not silent but deal with a loan and interest. In other words, they leave no vacuum that can be filled with their previous thought. (3) We should sharply differentiate between the cases where the Torah relates to thought and where it relates to action. After all, a thought of *pigul* stems from what happens in a *kohen’s* mind (though according to Rashi, he must express it in speech). On the other hand, the prohibition of interest has nothing to do whatever with thoughts but with actions, i.e. real dealings.

Therefore, our *sugya* applies the above rule to a *kohen* occupied with thoughts that determine the fate of a *minchah*. In this case, the Torah rules that a *kohen’s* subsequent subconscious thought is enough to render *pigul*. On the other hand, concerning loans and interest, subconscious thought cannot create legal validity. Such thought is limited and cannot change the ways of the world (see further in *Beris Yehudah*, Ch. 40, S.K. 19; *Toras Ribis*, 16:32).

## DAILY MASHAL

### ***Atonement and Forgiveness***

If a person has already atoned for his sin, why must he be forgiven? Rabbi Eliezer Simchah Rabinovitz of Lomzha said that we learn therefrom that forgiveness is the rectification of the damage caused by the sin. The sacrifice atones and appeases Hashem for the sinner’s disobedience but he must still rectify the defect caused by the sin. The Torah therefore says, “it is forgiven to him”: even this defect will be forgiven with his repentance and his sacrifice (*Chidushei Rabbi Eli’ezer Simchah*, Vayikra).