



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

Stands to be Redeemed

Rav Ashi said: I said over this discussion before Rav Nachman (as to R’ Shimon’s rule that whatever stands to be redeemed is as if it was redeemed, and therefore it should apply to the applying of blood as well), and I said to him: You may even say that the case of the *braisa*, where it stated that it had remained overnight (before the throwing of the blood) shall be taken literally (that the Kohanim had ample time to apply the blood – which would have permitted the offering, but they did not do so) and, you can also say that the *braisa’s* other teaching regarding *piggul* refers even to a case where the *piggul* intention was expressed during the throwing of the blood (and it would not contradict R’ Shimon’s principle). We say Rabbi Shimon’s principle that ‘if he wished, he could have redeemed it’ (and therefore it may be regarded as if he did redeem it), but we do not say the principle that ‘if he wished, he could have thrown the blood.’ [There is a distinction between redeeming – which does not require an action (for it is mere words), but throwing the blood involves an action.]

The Gemora asks on this from a Mishna: Rabbi Yehoshua stated this general rule: Whatever had a moment of permissibility (to be eaten) to the Kohanim is not subject to the law of *me’ilah* (one who has unintentionally benefited from *hekdesh* or removed it from the ownership of the *Beis Hamikdash* has committed the transgression of *me’ilah*, and as a penalty, he would be required to pay the value of the object plus an additional fifth of the value; he also brings a *korban asham*), and whatever had no moment of permissibility to the Kohanim is subject to the law of *me’ilah*

(for it is still regarded as ‘*kodshei Hashem*’ – sanctified items that are reserved for Hashem). What is something which had a moment of permissibility to the Kohanim? That which remained overnight, or became *tamei*, or it was taken out from its place. And what is that which had no moment of permissibility to the Kohanim? Those that were slaughtered with a ‘beyond its time’ or ‘outside of its place’ intention, or whose blood was received and applied by disqualified people.

Now, in the first cases, it states: That which remained overnight, or became *tamei*, or it was taken out from its place. Does this not mean that it absolutely (its meat and blood) remained overnight, and here if he wished, he could have thrown the blood (and that is why it is regarded as having had a moment of permissibility to the Kohanim), and therefore it is not subject to the law of *me’ilah*!?

The Gemora answers: The Gemora answers: No, it means that it remained overnight after the blood had been thrown.

The Gemora asks: But what would be the *halachah* where it had absolutely (its meat and blood) remained overnight? Seemingly, it would be subject to the law of *me’ilah*. Then, if so, instead of saying, ‘whatever had a moment of permissibility (to be eaten) to the Kohanim (is not subject to the law of *me’ilah*), and ‘whatever had no moment of permissibility to the Kohanim (is subject to the law of *me’ilah*), the Tanna should have said (using the present tense), whatever has a moment of permissibility (to be eaten) to the Kohanim (is not subject to the law of *me’ilah*), and ‘whatever has no moment of permissibility to the

Kohanim (is subject to the law of me'ilah)!? [By the fact that the past tense was used, it would seem to indicate that the Mishna is referring to a case where the offering wasn't actually permitted to the Kohanim; but rather, it became fit to become permitted to them; it must be that we apply the principle that whatever is fit to be thrown is as if it was thrown. This contradicts Rav Ashi's answer!?!]

Rather, answered Rav Ashi, you cannot point out a contradiction between the ruling concerning the law of *me'ilah* and that concerning *tumah*. The law of *me'ilah* applies only to that which possesses sanctity and not to that which is not sanctified; therefore, once the sanctity has departed (*when an offering's blood is ready to be thrown and become permitted to the Kohanim*), how can it return again (*to apply when it emerges that the blood was never actually thrown*)? However, *tumah* applies only to that which is regarded as food and not to that which is not food; therefore, where the blood has not actually been thrown, it is not regarded as food, and therefore it cannot convey *tumah*.

The *Gemora* asks on this from the following *Mishna*: If a man brought an *asham taluy* (*korban brought when one is unsure if he committed a sin that is subject to a chatas*) and subsequently it became known to him that he had not sinned, if the animal was not yet slaughtered, it goes out and grazes among the flock (*as ordinary chulin; this is because he never meant to consecrate it if it emerged that he did not sin*); these are the words of Rabbi Meir. The Sages say: It must be left to graze until it develops a blemish, and then it shall be sold and its money spent on a voluntary offering. Rabbi Eliezer says: It should be offered (*regardless*), for if it was not offered for this sin, it can be offered for some other sin (*for R' Eliezer maintains that one can even donate an asham taluy*). If it (*the fact that he had not sinned*) became known to him only after it was slaughtered, the blood must be poured out (*on the ground*) and the meat burned (*for it is chulin that was slaughtered in the Courtyard*). If the blood had already been thrown, the meat may be eaten. Rabbi Yosi says: Even if the blood was still in the basin (*that was used to*

receive the blood), it should be thrown and the meat may be eaten.

And Rava had said that Rabbi Yosi holds of Rabbi Shimon's principle that whatever stands to be thrown is regarded as if it was already thrown. [*Evidently, this logic applies even to make something into a food; this contradicts Rav Ashi's answer!?!]*

The *Gemora* answers (by asking): Is that really the reason for Rabbi Yosi's opinion? It was said in the West in the name of Rabbi Yosi bar Chanina that Rabbi Yosi holds that a service vessel may sanctify that which is invalid so that it may be offered up in the first instance.

Rav Ashi said to Rav Kahana: Since Rabbi Shimon holds that whatever stands to be thrown is considered as if it was already thrown, then similarly he would hold that whatever stands to be burned is considered as if it was already burned; consequently, why should *nossar* (*sacrificial offerings that were left past their prescribed time*) and the red heifer convey food *tumah*; they are but mere ashes (*since they stand to be burned*)?

He replied: Sacred esteem renders them susceptible to *tumah*.

Ravina said to Rav Ashi: I grant you that sacred esteem can be effective in rendering the thing itself invalid, but can it be effective in rendering the object *tamei*, so that it could transmit *tumah* as a *rishon* (*first-degree tumah*) or as a *sheini* (*second-degree tumah*)? For then, you could resolve the following inquiry raised by Rish Lakish: If a dry portion of a *minchah* offering (that was untouched by oil and therefore it was not susceptible to *tumah*; however, it can become *tamei* on account of its sacred esteem) becomes *tamei*, does it transmit *tumah* as a *rishon* (*first-degree tumah*) or as a *sheini* (*second-degree tumah*), or not?



The *Gemora* answers: Rish Lakish's inquiry was whether it was so by biblical law, whereas we are speaking of *tumah* (for that which was *nossar*, or the red heifer) on a Rabbinical level. (102a – 102b)

Different than he Vowed

If a person said, "I accept upon myself to bring a *minchah* offering prepared in a *machavas* (the loaves are hard, for they were fried on a shallow, flat griddle, and the fire burns off the oil), and he brought one prepared in a *marcheshes* (the loaves are soft, for they are fried in a deep pan, and the fire doesn't burn off the oil); or he said, "in a *marcheshes*," and he brought one prepared in a *machavas*, what he has brought he has brought, but he has not fulfilled the obligation of his vow. But if he said, "This flour should be brought as a *machavas*," and he brought it in a *marcheshes*, or he said, "in a *machavas*," and he brought it in a *marcheshes*, it is invalid (for his designation regarding the flour is binding, and it cannot be changed).

If he said, "I accept upon myself to bring two *issarons* (tenths) in one vessel," and he brought them in two vessels, or he said, "in two vessels," and he brought them in one vessel, what he has brought he has brought, but he has not fulfilled the obligation of his vow. If, however, he said, "These two *issarons* should be brought in one vessel," and he brought them in two vessels, or he said, "in two vessels," and he brought them in one vessel, they are invalid.

"I accept upon myself to bring two *issarons* (tenths) in one vessel," and he brought them in two vessels, and when they said to him, "You vowed to bring them in one vessel," he still offered them in two vessels, they are invalid; but if he offered them in one vessel, they are valid. If he said, "I accept upon myself to bring two *issarons* in two vessels," and he brought them in one vessel, and when they said to him, "You vowed to bring them in two vessels," he offered them in two vessels, they are valid. If, however, he put them in one vessel, they are reckoned as two *minchah* offerings which were mixed

into one vessel (where if we can distinguish one from the other, he may perform *kemitzah* to each one). (102b)

INSIGHTS TO THE DAF

"Kesusei Michtas Shiureha"

Tosfos in Sotah asks: Why does our *Gemora* ask this question only according to R' Shimon, who holds that "whatever stands to be thrown, is as if it was thrown"? Shouldn't this question be according to the Rabbis who disagree with R' Shimon as well? For here the *parah* and the *nossar* are standing to be burned, and consequently, the rule of "*kesusei michtas shiureha*" – "the prescribed amount has been diminished" should apply! Since the cow or the *nossar* requires an amount equivalent to a *beitzah* (volume of an egg) in order to be susceptible to *tumah*, or to transmit *tumah* to other, they should be regarded as being less than that amount!?

Tosfos answers that it was known to the *Gemora* that the principle of "*chibas hakodesh*" would apply to make it significant enough that the principle of "*kesusei michtas shiureha*" would not apply; this is why the *Gemora* only asked from R' Shimon's opinion.

The *Olas Shlomo* explains that if it would be referring to a case where there is liquid that combines it, it could become *tamei* and transmit *tumah* even if we would apply the principle of "*kesusei michtas shiureha*," for that would render the food into crumbs, and if there is liquid there, the fact that it is crumbs would not concern us. However, if it is regarded as if it is burned, there cannot be *tumah* at all.

The *Minchas Baruch* writes that "*kesusei michtas shiureha*" is only said regarding a *mitzvah* or *halachah* where there is a required amount – like by *shofar* or *lulav*; so there, if it would be something that is forbidden from benefit that requires burning, it would be missing the *shiur* and disqualified from use. However, a *mitzvah* or *halachah* where an amount is said

by it, but not because a certain amount is required; rather, it is on account of something else, there we do not apply the principle of “*kesusei michtas shiureha*.” Therefore, here, regarding *tumah* on food, it is not because *tumah* requires the size of an egg, but rather, it is based on the verse, “*mikol ha’ochel asher yei’achel*” – which teaches us that it must be a volume of food which one eats at one time. This is therefore a factual issue, not a halchic requirement. Accordingly, the principle of “*kesusei michtas shiureha*” does not apply.

Just as if...

The *Gemora* stated that Rabbi Shimon holds a general rule of *kol ha’omed* - anything destined for a specific action is considered as if the action were already done. Tosfos (76b v’halo zrika) narrows the scope of Rabbi Shimon’s rule to cases where the subsequent action is mandated – a *mitzvah*. In that case, since the action not just may be performed, but is *supposed* to be performed, we can act as if it’s already done.

The *halachah* rules like the *Chachamim*. The Aruch Hashulchan infers from this topic a number of *halachic* conclusions. One of them is in the *halachos* of a *shofar*. The *Gemora* states that a *shofar* that is cracked is unfit. There is debate in the Rishonim on what extent of a crack invalidates a *shofar*, both for vertical and horizontal cracks. The Rosh (R”H 3:6) cites an opinion that any sized vertical crack (*i.e.*, along the pathway of the air flow), no matter how small, invalidates the *shofar*, since the more it is blown, the larger the crack will become. The Aruch Hashulchan (O”H 586:15) states that this opinion does not invalidate it from the Torah, since we rule like the *Chachamim*. Rabbi Shimon can hold that a *shofar* that will become fully cracked is considered currently cracked, as part of his general opinion of *kol ha’omed*. The *Chachamim*, however, do not agree with this rule, and therefore would not consider the *shofar* already cracked. Since we do not rule like Rabbi Shimon, the invalidation must be on a Rabbinic level, lest we use a fully cracked *shofar*. [According to Tosfos’s limitation of Rabbi

Shimon, it is debatable if Rabbi Shimon would apply *kol ha’omed* to a cracked *shofar*. There is no *mitzvah* of cracking the *shofar*, per se, but there is a *mitzvah* to blow in it, which would crack it further.]

DAILY MASHAL

To Pray for the Maharit

The Maharit writes in his *chidushim* on Kiddushin (27): “In this *sugya*...I had *chidushim* and forgot them.” Why did he write so? HaGaon Rav Y.S. Elyashiv, asked about such by his son-in-law HaGaon Rav Y. Zilberstein, simply replied that the Maharit wanted that students should pray for him to remember his *chidushim*. (A similar act is recounted in Shabbos 67a: a tree which shed its fruit prematurely would be painted red so that people would pray for it).

What Is “Always”?

Concerning allowing a blind man’s dog to enter a synagogue, HaGaon Rav M. Feinstein zt”l wrote that there is some proof to permit it from Rashi in Berachos 62a, who wrote that Abaye had a lamb that “always” – *tamid* – accompanied him, and surely most of the time he was in a synagogue or a *beis midrash*! (Responsa *Igros Moshe*, O.C. 45). However, *Chelkas Ya’akov* (III, 87) calls our attention to Rashi on *parshas Tetzaveh* (29:42), who explains *tamid* similar to the definition stated in our *sugya*: daily but not necessarily at every moment. In this light we could explain the same regarding Abaye’s lamb.