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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

Backup Chatas

Rabbi Oshaya says that if one designates two animals for a *chatas*, with each being a backup in case the other is lost, he offers one for atonement, and the other one must graze until it becomes blemished.

The *Gemora* explains that Rabbi Oshaya cannot be saying this according to the Sages, as it is obvious. Since they say that even a *chatas* designated to replace a lost one grazes if the first one was found, they would definitely say that two designated for the purpose of a reserve grazes. He is not saying this according to Rabbi Shimon, as he categorically says that any time one has atoned with one *chatas*, the remaining one is put to death, applying to this case as well. Rather, he is saying this according to Rebbe, who says that a *chatas* designated as a backup for a lost one is put to death, even if the first one was found before anything was offered. Rabbi Oshaya is teaching that Rebbe only says this when the backup was designated to replace a lost one, not when both were designated to have a backup in case one gets lost.

The *Gemora* challenges Rabbi Oshaya’s statement from the *Mishna* which discusses one who designates a blemished animal as a *chatas*. He must sell it and offer another one instead. Rabbi Elozar the son of Rabbi Shimon says if the replacement was offered before the first one was slaughtered, it is now equivalent to the *chatas* of one who already was atoned for, and must be put to death.

The *Gemora* assumes that Rabbi Elozar the son of Rabbi Shimon is following Rebbe, yet he still says that even when

one *chatas* is designated to replace another one that isn’t lost, it is put to death once the owner is atoned.

The *Gemora* deflects this by saying that he is following Rabbi Shimon.

The *Gemora* challenges Rabbi Oshaya from the *Mishna* in Yoma that says that if the goat for *Azazel* dies, a new lottery is made, resulting in two goats for the *chatas*. One is offered, and the second one grazes until blemished, since a communal *chatas* is never put to death. Rav explains that a live animal is not permanently disqualified, and therefore the first *chatas* goat is offered, while the second one is considered a backup, and therefore grazes. This implies that in the equivalent scenario with an individual *chatas*, when one was designated as a backup, the second one is put to death.

The *Gemora* answers that Rav follows his position that one is supposed to offer the first one, making the second one’s designation tantamount to designation not for sacrifice. This is different than Rabbi Oshaya’s case, in which both are possibly eligible for sacrifice, and therefore the one not offered grazes. (24a)

When was the Chatas Found?

Rav Simi bar Ziri taught in front of Rav Pappa that if one *chatas* was lost when its backup was designated but then found, Rebbe says that it dies, while the Sages say it grazes. If it was lost when the backup was offered, the Sages say that it dies, while Rebbe says it grazes. The *Gemora* amends this statement, as if the Sages say that it dies, surely Rebbe says



so. Rather, he taught that if it was lost before the backup was designated, but then found, Rebbe says it dies, while the Sages say it grazes. However, if it was lost when the backup was offered, both agree that it dies. (24a)

Status of Blemished Chatas

The *Gemora* discusses Rabbi Elozar the son of Rabbi Shimon's position, that if the blemished *chatas* wasn't slaughtered before its replacement was offered, it must be put to death.

The *Gemora* cites a *braisa* which says that one may not skin an animal from its feet on *Yom Tov*, nor may one skin a blemished first born or sacrifice this way. The *Gemora* says we understand that on *Yom Tov* one may not, as this is extra effort, but why not a blemished first born or sacrifice?

Rav Chisda says that the case of a first born follows Beis Shammai, who say that even a blemished first born still retains its status, and only may be eaten by *Kohanim*.

Rav Chisda says that the case of a blemished sacrifice follows Rabbi Elozar the son of Rabbi Shimon. He cites a *braisa* about one who had two *chatas* sacrifices for a *chatas* obligation, one blemished and one not, and offered the unblemished one. If he slaughtered the blemished one after the unblemished one was offered, it is prohibited. Rabbi Elozar the son of Rabbi Shimon says that even if the meat of the blemished sacrifice is cooked but not eaten when the replacement is sacrificed, the meat must be burned, as it still retains its status.

The *Gemora* explains that Rav Chisda needed to align the *braisa* with both opinions, as both are independent. Beis Shammai may only say the first born retains its status, as it is sanctified while still in the womb, while Rabbi Elozar the son of Rabbi Shimon may only say a blemished sacrifice retains its status, as it has the power to make another animal consecrated through redemption. (24a)

Skinning from the Leg

The *Gemora* asks why Rabbi Elozar the son of Rabbi Shimon says that one may not skin from the leg, which keeps the hides intact. Just as one may sell the meat in the marketplace, with no regard for the honor of the sacrifice, since this will increase the redemption value, one should be allowed to skin it this way, to increase its redemption value for the higher value of the hides.

The *Gemora* offers the following answers:

1. Rav Mari the son of Rav Kahana says that the higher value of the hides comes at the lower value of the meat, as the skinning process degrades the remaining meat, and therefore there is no net increase in redemption value.
2. The *Gemora* says that in *Eretz Yisroel* they cited Ravina saying that the reason that one may not skin this way is because it looks like one is working a blemished sacrifice, which is prohibited.
3. Rabbi Yossi bar Avin says that the Sages prohibited it, to prevent people from delaying slaughtering it, to raise herds of these animals for their hides. This would increase the possibility of their transgressing the prohibition of shearing or working these animals. (24a)

WE SHALL RETURN TO YOU, V'LAD CHATAS

Sanctification of a fetus

The *Mishna* discusses how one can avoid the sanctification of a first born animal. If an animal was carrying its first child, the owner can designate the contents of the womb as an *olah* if it is male, or as a *shelamim* if it is female. When it is born, if it is male, it is offered as an *olah*, and if it is female, it is offered as a *shelamim*. If he said this, and the animal gave birth to both a male and female, the male is offered as an *olah*, and the female as a *shelamim*. If two males were born, one is offered as an *olah*, and the other is sold, with the proceeds used to buy an *olah*. If two females were born, one is offered as a *shelamim*, and the other is sold, with the proceeds used to buy a *shelamim*. If the child is a *tumtum*,



whose genitals are covered, or *androgynous*, Rabban Shimon ben Gamliel says that it is not consecrated at all by his statement.

Rav Yehudah says that one may make a blemish in a first born while it is still in the womb.

The *Gemora* challenges this from the *Mishna*, which says that one can avoid sanctification of the first born by designating a male fetus as an *olah*, implying that any lesser sanctity (e.g., *shelamim*) would not be allowed, and certainly implying that one may not remove the sanctity altogether by blemishing it. Rav Yehudah answers that the *Mishna* is discussing the time when there was a Beis Hamikdash, and the first born would otherwise be offered. He is referring to nowadays, when the first born cannot be offered.

The *Gemora* explains that we may have thought that we prohibit blemishing it even nowadays, out of concern that he may accidentally blemish it after most of its head has exited, making it halachically born. Rav Yehudah therefore says that he may blemish it, as allowing it to be born will lead to another concern, that he will shear or work it while he waits for it to become blemished.

The *Gemora* explains that the *Mishna's* case of the person designating the female fetus as a *shelamim* is not referring to a first born animal, which only applies to a first born male. Rather, it refers to a one who is avoiding having the child of a pregnant sacrifice. Since the sanctity of the child will take effect whether it is male or female, he must specify a designation for each possibility.

The *Gemora* explains that when the *Mishna* discusses the animal giving birth to two males, it is not referring to the children of a sacrifice, as in that case, one would be an *olah*, and the other one would be sanctified through its mother's status. Rather, it is referring to an animal which is not a sacrifice, and therefore the second one is sold for the purpose of buying an *olah*. (24b)

INSIGHTS TO THE DAF

Firstborn Nowadays

Rav Yehudah says that nowadays one may blemish a first born fetus in the womb, as we are concerned that otherwise he may shear or work the animal until it gets a blemish.

Rabbeinu Tam (Tosfos 24b Ha) says that nowadays we avoid the issue of the first born by transferring a portion of ownership of the mother to a non-Jew, making him a partner in the animal, and exempting its first born from sacrifice. Although the *Gemora* (Bechoros 3b) relates that Rav Mari did this, and as a result, his flock was decimated, we still prefer to do this. The *Gemora* gives two reasons why his flock was decimated:

1. He is taking it away from the kohen
2. Others may not know how to properly transfer ownership to a non-Jew

Rabbeinu Tam says that we do know how, and therefore the second concern does not apply. Even regarding the first concern, we consider it preferable to take it away from the *Kohen* than risk someone blemishing it after it is halachically born.

DAILY MASHAL

Is Insurance Halachically Proper? "He Designated Two Funds As An Insurance"

Our Daf opens with the discussion of one who ensures that he will successfully offer a sacrifice for a committed sin by providing two funds, one for the actual sacrifice and the other in case the first was disqualified. The provision for the secondary funding in the Temple era was very simply the deposit of a second amount of money, actual coins, for the specific purpose. Once the initial sacrifice was successfully made, the secondary fund must be dealt with. The *Gemara* discusses the use of the secondary funding.



The deposit of this secondary fund represents insurance by the one bringing the sacrifice. It is insurance that the sin for which he is repenting will be atoned for by a sacrifice. The fact that the concept of insurance is dealt with somewhat routinely in the Gemara is intriguing. The relatively modern concept of insurance policies is to have an element of providing for one's self in times of adversity and difficulty, which, we believe, were visited upon the person by Heaven. The challenge, of course, is whether resorting to insurance is a lack of faith in Heaven. In our Gemara's case, the one bringing the sacrifice may well be "taking out insurance" against an act of Heaven.

The Gemara (Kiddushin 82a) discusses one aspect of this concept. Rabbi Meir and Rabbi Nehorai disagree as to whether a father is obligated to teach his son a trade that will enable him to have a source of income when he is older. Rabbi Meir's opinion is that a person should always teach his son a clean, honorable and easy trade. Rabbi Nehorai, however, disagrees: "I put aside any trade in the world and will only teach my son Torah." Rambam obviously rules like Rabbi Nehorai since he does not specify anywhere that a person must teach his son a trade (Responsa Igros Moshe, Orach Chaim 2:111).

The Igros Moshe (ibid.) discusses a question that vexes many people. Should we refrain from purchasing life insurance or property insurance policies against theft, fire, and other misfortunes? Apparently, such policies may show a sort of lack of emunah (faith), implying that we do not really believe everything comes from Hashem, that He feeds and provides for all, and has many ways to sustain His world with chesed and rachamim. People should not search for solutions to prevent incidents that have not yet happened.

The Igros Moshe cites Rabbi Nehorai, from whom we can apparently learn that just like a person is not obligated to teach his son a trade but must put his trust in Hashem to provide for his son when he will need a livelihood, so also a

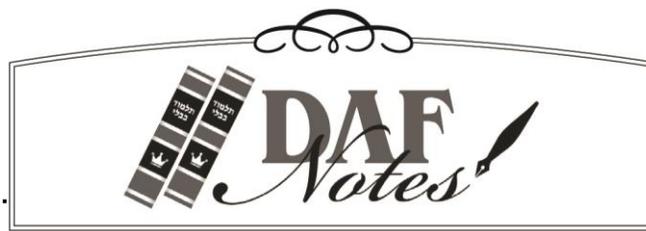
person must also desist from purchasing an insurance policy that deals with future happenings.

Importance Of Torah Study For Children

However, the Igros Moshe states that it is necessary to understand the depth of what Rabbi Nehorai is teaching us. Surely Rabbi Nehorai did not intend for a person to rely on miracles. Hashem decreed for man, "With the sweat of your face you shall eat bread" (Bereishis 3:19). If so, how can a person be allowed to leave his son without a trade? However, when a child is young he cannot be engrossed in Torah studies and acquire a trade at the same time. Rabbi Nehorai maintains that a father can rely on Hashem that when his son will later need to learn a livelihood, He will provide for him an easy type of work from which he will, without difficulty, earn a living. The Igros Moshe illustrates what Rabbi Nehorai is saying: Just as it is evident that Shabbos and the times needed for prayer are not included in the times decreed upon a person to work for his livelihood, so, too, are a person's first years of life not intended to be used to acquire a profession. During that time he should only learn Torah.

We can conclude that Rabbi Nehorai admits that later, as one grows into maturity, a person must try to learn how to earn a living and he is not allowed to rely on miracles. Therefore, purchasing an insurance policy is one of the ways a person may try to obtain financial gains, such as by buying land and doing business. However, the Igros Moshe points out that we must always remember that all our business and other transactions are dependent upon Hashem, who ultimately provides for all.

It is only proper to conclude by mentioning the view of the Chazon Ish, zt"l (Chazon Ish I, Igeres 5) that as long as a person can toil over Torah studies it is preferable for him to do so. He should not worry that he will not have any significant trade in life. If Hashem so desires, one can earn an adequate livelihood from the simplest trade. On the other



hand, if he continues to study Torah, even for one year, he cannot imagine his great zechus and rewards of doing so.

Insurance Is Mandatory

Recently, an effort has been launched by Albert Kahn of Brooklyn, who is not an insurance broker nor is he connected to any insurance broker or company, to crystallize the importance of family breadwinners maintaining minimum term life insurance to prevent their families from sinking into poverty or begging for mercy in times of tragedy. Albert Kahn stressed that, as a start, yeshiva rebbes be provided with term life insurance voluntarily by respective class PTA groups. The cost generally would be less than \$30 per month, representing \$10 - \$15 per parent per year per rebbi, significantly less than is ordinarily spent for newspapers.

Albert Kahn's important and worthy effort has received the powerful endorsements of contemporary Gedolim, including Rabbi Yosef Sholom Elyashiv, Rabbi Moshe Halberstam, Rabbi Shmuel Kaminetzky, Rabbi Nisan Karelitz, Rabbi Michel Yehuda Lefkowitz, Rabbi Avrohom Pam (zt"l), Rabbi Chaim Pinchas Sheinberg, Rabbi Aryeh Leib Steinman, and Rabbi Shmuel Wozner, among others.

Insurance As A Profession?

Our Gedolim have often emphasized that it is appropriate for a ben Torah to choose a profession which will exercise and develop his personal qualities, his middot. It may be that the world needs business people no less than it needs physicians, and certainly many great Torah scholars were businessmen. A person choosing a career should take into account that a profession based on maximizing profits may have a different influence on his personality than one based on giving personal aid to people in need.

From this point of view it seems that selling insurance is a most worthy profession for a ben Torah. The initial selling of insurance is a means of reminding one's fellow to prepare for contingencies, in itself a worthy deed. Then there is the business of processing claims. Everyone knows the

expression, "a friend in need is a friend indeed," and an insurance agent is truly a "friend in need." People turn to him precisely at the time when they have suffered a setback, and in general he is able to be the immediate source of aid to them at a difficult time. There can be no doubt that this can have a positive influence in building a caring and helping personality.