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Making a Bald Spot

Issi taught a fourth exception (*that women are exempt from another prohibition*): They are exempt from making a bald spot (*on their head when they are mourning for a dead person*).

What is Issi's reason? — Because he interprets as follows: You are sons of Hashem your God: you shall not cut yourselves, nor make any baldness between your eyes for the dead. For you are a holy nation to Hashem your God: [the implied limitation] ‘sons’ but not daughters [is] in respect of baldness. You say, in respect of baldness; yet perhaps it is not so, but rather in respect of cutting? When it is said: ‘For you are a holy nation to Hashem your God,’ cutting is referred to; hence, how can I interpret [the implication] ‘sons’ but not daughters? In respect to baldness. And why do you prefer to include cutting and exclude baldness? I include cutting which is possible both where there is hair and where there is no hair, and I exclude baldness which is possible only in the place of hair. — Yet perhaps ‘sons’ but not daughters applies to both baldness and cutting, while ‘For you are a holy nation to Hashem your God’ relates to incision! — Issi holds that incision [seritah] and cutting [gedidah] are identical.

Abaye explains the Scriptural source for this *halachah*. Issi derives a *gezeirah shavah*, using the words *korchah, korchah* from the sons of Aharon. Just as with respect to the prohibition (*of making a bald spot*) for the *Kohanim*, women are exempt, so too, they are exempt from the prohibition pertaining to all Jews.

The *Gemora* asks: If when the Torah wrote *the sons of Aharon* (*in the first verse discussing the prohibitions related to Kohanim*), it is in reference to the entire passage, why would we need a *gezeirah shavah* (*exempting women from the general prohibition against making a bald spot*)? Let us derive this exemption from the following *kal vachomer*: Although a *Kohen* is more stringent, as the Torah included him in being commanded in more commandments, nevertheless, the Torah only prohibits the male *Kohanim* from making a bald spot and not the women; certainly with regard to the general prohibition, only a man will be included and not the women!?

The *Gemora* answers: If not for the *gezeirah shavah*, we would have thought that the Torah interrupted the matter (*which was relevant only to the male Kohanim by stating the mitzvah of becoming tamei to close relatives*).

The *Gemora* asks: Now also, let us say that the Torah interrupted the matter!?! And as far as the *gezeirah shavah*, we will use it for that which is taught in the following *Baraisa*: *The Kohanim shall not make a bald spot on their head*. You might think that even if he made four or five bald spots, he will only be liable once (*and he will receive lashes only once*), the Torah therefore writes: *korchah*. This (*redundancy*) teaches us that he is liable for each and every one. What do we learn from the fact that the Torah writes, *on their head*? Since it is written (*with respect to the general prohibition*), *You shall not gash yourselves nor make a bald spot between your eyes for the dead*, you might think that he is only liable if he makes the bald spot (*on the scalp*) between (*above*) the eyes. How do we know that he will be liable for the entire head? It is therefore written: *on their head*. And perhaps this is only with respect to *Kohanim*, as the Torah

included him in being commanded in more commandments; how do we know that an ordinary Jew is liable for making a bald spot on any part of the head? It says *Korchah* by the *Kohanim* and it says *Korchah* by an ordinary Jew. Just as a *Kohen* is liable for each and every bald spot and he is liable for making a bald spot on any part of the head, so too, an ordinary Jew is liable for each and every bald spot and he is liable for making a bald spot on any part of the head. And just as an ordinary Jew is liable only if he makes a bald spot while he is mourning for a dead person, so too, a *Kohen* is liable only if he makes a bald spot while he is mourning for a dead person. [So how do we know that this prohibition does not apply to Kohanite women?]

The *Gemora* answers: If the Torah would only be teaching the *gezeirah shavah*, it could have written *kerach* (without the “hey”). Since it wrote *korchah*, it teaches us both.

Rava says that the source for Issi’s teaching is a *gezeirah shavah* from *tefillin*, using the words *between your eyes*. Just as women are exempt from *tefillin*, they are also exempt from the prohibition against making a bald spot.

The *Gemora* explains why each Amora did not use any of the other sources.

Rava didn’t say like Abaye, for he holds that there is no meaningful difference between *kerach* and *korchah*.

Abaye didn’t say like Rava, for he uses the *gezeirah shavah* for the following: Just as the prohibition regarding making a bald spot is in reference to the upper part of the head (a place where hair grows), so too, *tefillin* must be placed on the upper part of the head (a place where hair grows; not literally between the eyes).

The *Gemora* asks: What do Abaye and Rava learn from the verse, *You are sons to Hashem*?

The *Gemora* answers: It is needed for that which is taught in the following *Baraisa*: *You are sons to Hashem your God*.

When you act in the way of children, you are referred to as the children of Hashem. However, if you do not act in the way of children, you are not referred to as the children of Hashem. These are the words of Rabbi Yehudah. Rabbi Meir says: Even if you do not act in the way of children, you are still referred to as the children of Hashem, for it is said: they are foolish children; and it is also said: They are children in whom there is no loyalty; and it is also said: a seed of evildoers, sons that deal corruptly; and it is said: and it shall come to pass that, in the place where it was said to them, “You are not my people, it shall be said to them, “You are the sons of the living God.”

Why give these additional quotations? For should you reply: only when foolish are they designated sons, but not when they lack loyalty — then come and hear: And it is said: They are children in whom there is no loyalty. And should you say, when they have no loyalty they are called sons, but when they serve idols they are not called sons — then come and hear: And it is said: a seed of evildoers, sons that deal corruptly. And should you say, they are indeed called sons that act corruptly, but not good sons — then come and hear: And it is said, and it shall come to pass that, in the place where it was said to them, “You are not my people, it shall be said to them, “You are the sons of the living God.” (35b3 – 36a3)

Mishnah

The leanings (*semichah* - the owner places his hands on the head of the sacrificial animal before it is slaughtered and leans on it with all his weight), the wavings (*tenufah* – some *korbanos* were waved by the owner together with the *Kohen*), the bringing near (*hagashah* – a *korban minchah* is brought by the *Kohen* to the southwest corner of the *Mizbeach*), the scooping up of the handful (*kemitzah* – the *Kohen* scoops a portion of flour from the *minchah*), the burnings (of the *korbanos* on the *Mizbeach*), the *melikah* (the *Kohen* “slaughters” the bird by piercing the back of the bird’s neck with his thumbnail) on the bird *korbanos*, the receiving and the sprinkling of the blood from the *korbanos* are all

performed by men and not by women, except for the *minchah* offerings of the *sotah* and the *nezirah*, which they do wave. (36a3 – 36a4)

Explaining the Mishnah

The *Gemora* cites the Scriptural sources for the *halachos* mentioned in the *Mishnah*.

The leanings, because it is written: Speak to the sons of Israel. . . and he shall lean [his hand upon the head of the olah offering]; thus the sons of Israel perform the leaning, but the daughters of Israel do not perform the leaning.

Waving: Speak to the sons of Israel . . . and he shall wave; thus the sons of Israel perform the waving, but the daughters of Israel do not perform the waving.

Bringing near [the minchah offering]: For it is written: And this is the law of the minchah offering: the sons of Aaron shall offer it: the sons of Aaron, but not the daughters of Aaron.

The *kemitzah*: For it is written: And he shall bring it to Aaron's sons, and he shall perform the *kemitzah*; the sons of Aaron, but not the daughters of Aaron.

Burning [the fat]. Because it is written: And Aaron's sons shall burn it; the sons of Aaron, but not the daughters of Aaron.

Melikah: Because it is written: and he shall perform the *melikah* and burn it [on the altar]: thus *melikah* is compared to burning.

Receiving [the blood]: Because it is written: and Aaron's sons shall bring [the blood]; and a master said, 'and they shall bring' refers to the receiving of the blood. (36a4 – 36b1)

The *Mishnah* had stated that the sprinkling of the blood from the *korbanos* must be done by a male *Kohen*.

The *Gemora* asks: Which *korban* is the *Mishnah* referring to? It cannot be dealing with the *parah adumah* (red heifer), for the Torah writes Elozar by it (meaning that only the *Kohen Gadol* can sprinkle its blood)!? It cannot be dealing with the sprinkling done inside the Holy, for there it must be done by the *Kohen Gadol*!?

Rather, the *Mishnah* must be referring to the sprinkling from a (*chatas*) bird. It must be done by a male *Kohen* based on the following *kal vachomer*: We find that the Torah did not require a *Kohen* to slaughter a sheep offering, yet he must sprinkle its blood; then by a bird offering, where the Torah requires a male *Kohen* to perform the *melikah*, it would certainly stand to reason that a male *Kohen* is required to sprinkle its blood. (36b1)

The *Mishnah* had stated: Except for a *minchas sotah* and of a *nezirah* (where the woman performs the waving).

Rabbi Elazar said to Rabbi Yoshiyah his contemporary: Do not sit down until you have told me this law: How do we know that the minchah offering of a *sotah* requires waving? [You ask,] 'How do we know!' it is written in the very section: and he shall wave the offering. But [the question is,] how do we know that the waving must be performed by the owner? — The meaning of 'hand' is learned through a *gezeirah shavah* from a *shelamim* offering. Here is written: Then the *Kohen* shall take [the minchah of a *sotah*] out of the woman's hand, while there [in reference to *shelamim*] it is written, his hands [sc. the owner's] shall bring [the offerings]. Just as here the *Kohen* [is stated], so there too the *Kohen* [is meant]; and just as there the owner [is specified], so here too the owner [is required]. How so? The *Kohen* places his hand under the owner's and waves.

We have found [this in the case of] *sotah*; how do we know [it of] a *nezirah*? — The meaning of 'palm' [*kaf*] is derived from *sotah* (through a *gezeirah shavah*). (36b1 – 36b2)

INSIGHTS TO THE DAF

DAILY MASHAL

Male Kohanim, not Women

The *Mishnah* states: The leanings (*semichah* - the owner places his hands on the head of the sacrificial animal before it is slaughtered and leans on it with all his weight), the wavings (*tenufah* - some *korbanos* were waved by the owner together with the *Kohen*), the bringing near (*hagashah* - a *korban minchah* is brought by the *Kohen* to the southwest corner of the *Mizbeach*), the scooping up of the handful (*kemitzah* - the *Kohen* scoops a portion of flour from the *minchah*), the burnings (of the *korbanos* on the *Mizbeach*), the *melikah* (the *Kohen* "slaughters" the bird by piercing the back of the bird's neck with his thumbnail) on the bird *korbanos*, the receiving and the sprinkling of the blood from the *korbanos* are all performed by men and not by women, except for the *minchah* offerings of the *sotah* and the *nezirah*, which they do wave.

Tosfos asks: Why is it necessary to teach these *halachos* and to find their sources? Shouldn't a woman be exempt because *korbanos* are a positive *mitzvah* which is time bound? A *korban* can only be offered by day, and not by night!?

Tosfos answers that the *Mishnah* is teaching us that not only is a woman exempt from the *mitzvah*, but if she would perform any of these services, it would disqualify the *korban*.

However, Tosfos adds that this would not answer why the *mitzvah* of *semichah* is mentioned, for even if this *mitzvah* is not performed at all, the *korban* does not become invalidated!?

Tosfos answers that we might have thought that *semichah* can be performed by a woman, for it is written right next to the *mitzvah* of *shechitah*. We would have said that just like a woman can shecht a *korban*, she can perform the *semichah*. The *Mishnah* teaches us that this is not the case.

Children of Hashem

The *Gemora* asks: What do Abaye and Rava learn from the verse, *You are sons to Hashem*?

The *Gemora* answers: It is needed for that which is taught in the following *Baraisa*: *You are sons to Hashem your God*. When you act in the way of children, you are referred to as the children of Hashem. However, if you do not act in the way of children, you are not referred to as the children of Hashem. These are the words of Rabbi Yehudah. Rabbi Meir says: Even if you do not act in the way of children, you are still referred to as the children of Hashem.

The *Divrei Yetziv* explains the dispute as follows: Rabbi Yehudah maintains that *Klal Yisroel* are referred to as children of Hashem because we accepted His Torah. It emerges that if we do not uphold the laws of the Torah, we are not called His children any longer. Rabbi Meir, however, holds that we are referred to as children of Hashem because He formed us and created us. Even if we do not act in the manner of children, we are still, nevertheless, His children.