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Yevamos Daf 82

Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

Daf Notes is currently being dedicated to the neshamah of

Tzvi Gershon Ben Yoel (Harvey Felsen) o”h

May the studying of the Daf Notes be a zechus for his neshamah and may his soul find peace in Gan Eden and be bound up in the Bond of life

Rabbi Chiya the son of Rabbi Huna had stated: The braisa is discussing a piece of meat that dissolved. (*Even Rish Lakish will agree that it can become nullified because it is not commonly counted.*)

The Gemora asks: It can be inferred from here that if the piece of *tamei chatas* meat had not dissolved, it would not be nullified according to the Tanna Kamma. If so, why did the braisa differentiate between *tamei chatas* meat and *tahor chatas* meat? The braisa should have differentiated within the *tamei chatas* meat itself. This is what the braisa could have stated: If a piece of *tamei chatas* meat became mixed with one hundred pieces of *tahor chatas* meat, the mixture is permitted. This ruling is only said if the meat has dissolved, however if the meat did not dissolve, it will not become nullified (*because pieces of meat are commonly counted and therefore regarded as significant*).

The Gemora answers: The Tanna wanted to teach the halachah regarding a mixture of *tahor chatas* meat with *tahor* unconsecrated pieces of meat because of the greater novelty taught in this halachah. (*Generally, nullification is more appropriate when tahor mixes with tahor than when tamei mixes with tahor. Here, even though it is tahor mixing with tahor, and the tahor meat has dissolved, the mixture is not subject to nullification.*)

The Gemora asks: According to Rish Lakish, what is the distinction between the first portion of the braisa and the latter portion? (*In either case the piece is Biblically forbidden. As nullification takes place in the first case owing to the insignificant value of the piece, nullification should also take place, for the same reason, in the latter portion, where there is only a minor loss, since Kohanim can still eat the mixture?*)

Rav Shisha the son of Rav Iddi answered: The first portion of the braisa is discussing a case where the *chatas* meat became *tamei* through the Rabbinic *tumah* of liquids (*a tamei liquid transmitted tumah to a utensil which contained the chatas meat*). The latter portion of the braisa is discussing a Biblical prohibition, namely, the *tahor chatas* meat being eaten by non-Kohanim (*and this Tanna holds that meat subject to a Biblical prohibition that became mixed with a like kind does not become nullified even though it is not a significant item*).

The Gemora asks: It can be inferred from here that if the *chatas* meat became *tamei* by means of a *sheretz* (*the meat came in contact with the carcass of one of the eight species of creeping creatures enumerated in the Torah*), which is a Biblical *tumah*, it would not become nullified. If so, why did the braisa differentiate between *tamei chatas* meat and *tahor chatas* meat? The braisa should have differentiated within the *tamei chatas* meat itself. This is what the braisa could have stated: If a piece of *tamei chatas* meat became mixed with one hundred pieces of *tahor chatas* meat, the mixture is permitted. This ruling is only said if the meat became *tamei* through the Rabbinic *tumah* of liquids, but if it became *tamei* through the Biblical *tumah* of *sheretz*, it will not become nullified.

The Gemora answers: The Tanna wanted to teach the halachah regarding a mixture of *tahor chatas* meat with *tahor* unconsecrated pieces of meat because of the greater novelty taught in this halachah. (*Generally, nullification is more appropriate when tahor mixes with tahor than when tamei mixes with tahor. Here, even though it is tahor mixing*

with tahor, and the tahor meat has dissolved, the mixture is not subject to nullification.) (82a)

Rabbah presents a different explanation of the braisa according to Rish Lakish. The first portion of the braisa is discussing a case where the *chata*s meat contracted Biblical *tumah*; the reason why the mixture is nullified is because we are dealing with something forbidden by merely a negative precept (*eating consecrated meat that is tamei is not subject to the penalty of kares*). However, the latter portion of the braisa is discussing a prohibition that carries the penalty of *kares* (*a tamei person eating consecrated meat is subject to the penalty of kares*), and therefore the Tanna rules that the mixture cannot become nullified (*because something which is intermingled with its own kind cannot become nullified*).

The Gemora asks: Why, isn't Rabbah the one who stated that whenever we rule stringently regarding a Biblical prohibition, there is no distinction between a prohibition forbidden by merely a negative precept and a prohibition that carries the penalty of *kares*?

The Gemora remains with a difficulty. (82a)

Rav Ashi presents a different explanation of the braisa according to Rish Lakish. The ruling of the latter portion of the braisa (that the tahor *chata*s meat does not become nullified when it mixes with *chullin* meat) is because it is an object that will become permitted otherwise (even without nullification; for here, the tahor meat will be permitted for Kohanim) and the principle is that forbidden objects that will become permitted (after time, or to others) do not become nullified.

The Gemora notes: Rav Ashi's answer is a mistake (for the principal which rules out nullification in the case of objects which may attain to a state of permissibility without this process, is applicable only to such objects as become permissible, i.e., which emerge from a state of prohibition into

one of permissibility; this case, however, it was permitted to the Kohanim the entire time – even before its mixture), for to whom would the mixture become permitted (even without nullification)? To the Kohen you say; it is permitted the entire time! To the Yisroel, you say; it is always forbidden! The statement of Rav Ashi must consequently be regarded as a mistake. (82a)

The Gemora asks: Does Rabbi Yochanan actually hold that there is a Biblical obligation to separate *terumah* nowadays? But we learned in the following braisa: If there were two boxes, one that has *chullin*, non-sacred produce inside and the other contains *terumah*. In front of those two boxes are two *seah* (volume measure between two and three gallons) containers of produce, and one *seah* container contains *chullin* and one container contains *terumah*. The contents of the *seah* containers fell into the other two boxes, and we know that each of the *seah* containers fell into a different box, but we do not know which box each *seah* container fell into. We rule that the *chullin* is permitted as it was before this occurred, because we assume that the *chullin* produce fell into *chullin* and *terumah* fell into *terumah*. Rish Lakish states that this is indeed the halachah only if the *chullin* produce in the box was more than the *terumah* in the *seah* container. (*This accomplishes that even if the terumah fell into the chullin, the terumah would become Biblically nullified; the halachah of requiring one hundred and one times the terumah component is only a Rabbinic ordinance.*) Rabbi Yochanan said: This is not necessary; even if the *terumah* in the *seah* container was more than the *chullin* produce in the box, we still would say that we can assume that the *chullin* produce fell into *chullin* and *terumah* fell into *terumah*.

The Gemora asks: According to Rish Lakish, the ruling may well be justified, since he may hold the opinion that with Rabbinically forbidden food as well, it is necessary to have a majority of the permitted food; but according to Rabbi Yochanan (who maintains that *terumah* nowadays is a Biblical requirement), why do we make a lenient assumption (*that the chullin produce fell into chullin and terumah fell into*

terumah, when we are dealing with a Biblical law) according to Rabbi Yochanan?

The Gemora answers: Rabbi Yochanan would say that the Tanna of this braisa is the Rabbis who hold that the requirement to separate *terumah* nowadays is only Rabbinic, however, I myself hold in accordance with Rabbi Yosi (*that there is a Biblical requirement to separate terumah nowadays*), for it was taught in a braisa in Seder Olam (*a braisa that records the development of Jewish history*): It is written [Devarim 30:5]: *And Hashem, your God, will bring you to the land which your forefathers conquered, and you too will conquer it.* The verse alludes to two sanctifications of Eretz Yisroel; one in the times of Yehoshua, and the other in the times of Ezra, when they were returning from Bavel. It is implicit that a third sanctification will not be necessary in the times of Mashiach because the sanctity effected by those who came up from Bavel was everlasting. Rabbi Yochanan said: Who is the author of Seder Olam? Rabbi Yosi. (*This indicates that Rabbi Yosi maintains that there is a Biblical requirement to separate terumah nowadays since Eretz Yisroel retained its sanctity.*) (82a – 82b)

(*The Gemora had states above that Rabbi Yochanan rules that we can assume that the chullin produce fell into chullin and terumah fell into terumah even if the terumah in the seah container was more than the chullin produce in the box.*) The Gemora asks: Does Rabbi Yochanan actually hold that a majority is not required in regards to a Rabbinic prohibition? But we have learned in the following Mishna: If a *mikvah* contains precisely forty *seah* of water (*the minimum quantity required for a valid mikvah*), and one placed a *seah* of other liquids into the *mikvah* and took away one *seah*, the *mikvah* is still valid. (*The seah of unsuitable liquid is regarded as having been nullified in the forty seah of water, so that when one seah of the mixture was subsequently removed, the minimum of forty seah of suitable liquid still remained in the mikvah.*) Rabbi Yehudah bar Shila said in the name of Rav Assi who said in the name of Rabbi Yochanan: This procedure (*of adding one seah of unsuitable liquid and removing one seah*) can only be

repeated until a majority of the *mikvah*. Does this not mean that *seah* after *seah* of unsuitable liquid may be added and an equal quantity of the mixture may be successively removed only until a minimum of twenty-one *seah* of suitable water remains in the *mikvah*? (*Should there remain less, so that the suitable liquid no longer represents the greater part of the mixture, the mikvah would become ritually unfit. This (the unsuitability of water contained in a vesse lbefore being placed in a mikvah being only a Rabbinical provision) proves that according to Rabbi Yochanan a majority is required even in the case of Rabbinical ordinances.*)

The Gemora answers: No. He only meant to say that a majority of the water may not be removed from the *mikvah* (*half of the water may be removed, because a Rabbinical prohibition can become nullified in an equal amount*).

Alternatively, you can answer that the reason Rabbi Yochanan permits the *chullin* in the box even if the *terumah* in the *seah* container was more than the *chullin* produce in the box is because we assume that the *chullin* produce fell into *chullin* and the *terumah* fell into *terumah*. (82b)

The Gemora asks: (*Rabbi Yochanan maintains that Rabbi Yosi and Rabbi Shimon hold that an androgynous is a definite male. Rish Lakish held that they maintain that he is possibly a male.*)The Mishna had stated: An androgynous may marry a woman. This would indicate that he is a definite male and his marriage is a full-fledged one.

The Gemora answers: Let us learn the Mishna to mean that if an androgynous marries, the marriage takes effect (*to the extent that she will need a divorce to get married again, because an androgynous is a possible male*).

The Gemora asks: But the Mishna says that the androgynous may marry outright?

Rish Lakish counters: And according to you, what does the next statement of the mean when it states the following: An

androgynous may not be taken in marriage by a man? It obviously is referring to even after the fact; the androgynous may not remain married to the male. Just as the second statement refers to after the fact, so too, the first statement of the Mishna means after the fact.

The Gemora objects to this explanation: They said: No. The first statement of the Mishna means that the androgynous may marry a woman outright, and the second statement means that the androgynous may not be married to a male even after the fact. (*This would be inconsistent with Rish Lakish's viewpoint.*)

The Gemora asks on Rabbi Yochanan: The Mishna concluded with the following ruling: Rabbi Eliezer says: One is liable to stoning on account of cohabiting with an androgynous, as with a male. This would indicate that the Tanna Kamma was uncertain as to the status of an androgynous.

The Gemora answers: Both the Tanna Kamma and Rabbi Eliezer maintain that an androgynous is certainly a male. The difference between the two opinions is whether a male will be liable to stoning for cohabiting with the androgynous in two places (*through his anus or his female organ*). The Tanna Kamma maintains that he will be liable for stoning from either of two places. Rabbi Eliezer holds that he will be liable for stoning only when he cohabits with the androgynous in the manner of a male (*through his anus, for only then will it be classified as homosexual relations*). (82b)

INSIGHTS TO THE DAF

Pigs in the Future

Our *Gemora* discusses the principle that any item that will eventually become permitted is not nullified even when intermingled with a thousand items of its like.

The Rishonim disagree regarding a food item that the *Gemora* is uncertain if it is forbidden or not and it remains unresolved. The inquiry will remain in that state until Eliyahu Hanavi clarifies it for us. The Ohr Zarua maintains that this is regarded as “something which can become permitted,”

since there is a possibility that Eliyahu will say that it is permitted. The Rashba disagrees and he explains: If Eliyahu will decide that the food is forbidden, it will emerge that this item will never be permitted. If he will rule that it is permitted, it actually was never forbidden. Either way, he argues, it cannot be labeled as “something which can become permitted.” The Bach cites a Mordechai that it is not considered “something which can become permitted,” for by the time Eliyahu will permit it, the food will be already ruined.

The Chasam Sofer cites the following question from the Rav in Frankfurt: Chazal write that a pig is called a “chazir,” for in the future, Hashem will reverse the prohibition of the pig and it will be permitted. If so, according to those Rishonim, pig should be regarded as “something which can become permitted”?

The Chasam Sofer answers based upon that which was written in the Toldos Yitzchak: The Torah forbids animals that do not have split hooves, or those that do not chew their cud because those animals are naturally conceited; they trample with their feet and they have a poison inside of them, which is extremely dangerous for a Jew to eat. The animals that do not digest their food easily and they are compelled to chew their cud; those animals are permitted to eat.

If so, explains the Chasam Sofer, there will be no change in *halacha* regarding the pig. It was forbidden and will remain forbidden. Rather, Hashem will change the nature of the pig and it will begin to chew its cud. That is why it will be permitted then. Accordingly, the only pigs that will be permitted then, are those that will be born after this change occurs; however, the pigs that were in existence prior to that will remain forbidden. This is why a pig is not classified as “something which can become permitted.”