

OVERVIEW of the Daf

1) Slaughtering (cont.)

A third unsuccessful attempt to refute Rav's position that slaughtering halfway is equivalent to the majority is presented.

On the fourth attempt the Gemara refutes Rav's position.

Rava questions the strength of this challenge but Abaye refutes Rava's challenge which forces the Gemara to qualify the dispute between Rav and R' Kahana and limit it to offering the Korban Pesach when half the people are t'horim and half are tmei'im.

Rav's rationale in that case is explained.

2) Clarifying the Mishnah

R' Hoshaya explains what seems like a redundancy in the Mishnah concerning the halacha of properly slaughtering a bird.

R' Kahana identifies which statement refers to unconsecrated animals and which statement refers to consecrated animals.

This explanation is unsuccessfully challenged.

R' Shimi bar Ashi offers another proof that the first part of the Mishnah addresses unconsecrated animals.

This explanation is unsuccessfully challenged.

R' Pappa offers an additional proof that the first part of the Mishnah addresses unconsecrated animals.

R' Ashi proves that the latter part of the Mishnah addresses consecrated animals.

It is noted that Reish Lakish also explains the Mishnah in accordance with the previous explanations.

Reish Lakish's proof is challenged and consequently revised and then clarified.

3) Slaughtering

Reish Lakish in the name of Levi the Elder and R' Yochanan disagree whether slaughtering occurs at the end of the severing or if the entire act of severing is categorized as slaughtering.

Rava clarifies the exact case that is disputed and what is not disputed.

Rabah bar Shimi in the name of R' Yosef rejects this interpretation and offers a different understanding of the dispute.

R' Yochanan's position is unsuccessfully challenged.

Rava unsuccessfully challenges the position of Levi the Elder.

Abaye begins to question R' Yosef's defense of Levi the Elder's position. ■

Distinctive INSIGHT

An individual is deferred to Pesach Sheni, but the entire nation is not deferred

איש איש כי יהיה טמא לנפש—איש נדחה ואין ציבור נדחין

The Mishnah (27a) taught that if one cut "most of one of the pipes" of a bird, the shechita is kosher. In the Gemara (28b), Rav explains that if exactly half of one of the pipes was cut, this is considered as the majority, and the shechita is acceptable. Rav Kahana disagrees, and he says that if precisely half of one of the pipes is cut, this is not adequate, as this is not a majority. The Gemara brings several sources to prove which of these two opinions is correct. The Gemara concludes that, in fact, Rav and Rav Kahana both agree that in regard to shechita, if precisely half of one of the pipes of a bird is cut, this would not be adequate. Rav never said that cutting half of one of the pipes is considered as a majority. Rather, the context in which they conducted their dispute was in regard to the korban Pesach.

If any individual is impure, he may not participate in bringing or eating the korban Pesach, and he must instead participate in the Pesach Sheni on the 14th of Iyar when he is no longer impure. This is learned from the verse (Bemidbar 9:10) which states that this halacha applies for "any individual that shall be defiled due to contact with the dead..." We also learn from here that only an individual is excluded from the Pesach offering if he is ritually impure, but if the community as a whole, or most of it, is impure, they may bring the korban Pesach while impure.

Tosafos notes that the Gemara in Sanhedrin (16a) discusses the law of an individual who worships idolatry. If any individual sinned, he must bring an offering for his sin. If an entire tribe, or most of it, has sinned with idolatry, they are

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REVIEW and Remember

1. According to the Gemara's conclusion, what is the point of dispute between Rav and R' Kahana?
2. How does R' Pappa prove that the first part of the Mishnah addresses unconsecrated animals?
3. When is it relevant to know whether slaughtering occurs at the end of the severing or throughout the process?
4. What is Rava's difficulty with the opinion which maintains that slaughtering occurs at the end of the severing?

HALACHAH Highlight

Precision in halacha

Because we require a visible majority

Shulchan Aruch¹ rules that if one severed the majority of one pipe of a bird or the majority of two pipes of a mammal the slaughter is valid as long as if one were to measure, it would turn out that the majority of the pipe/s were severed. Taz² writes that based on Rashi³ and others it is necessary for the majority to be visible and not a majority that is detected only after measuring. Radvaz⁴ writes that the phrase "רוב הניכר" a recognizable majority refers to where the majority could be detected even from a distance without close examination. On the other hand the phrase "רוב הנראה לעינים" a majority that is seen by one's eyes refers to a majority that is detected by looking closely to see whether there is a majority or only 50%. Therefore, when one reads that a majority is required or "a majority that is seen by one's eyes" all that is necessary is for there to be a measurable majority unless "a recognizable majority" is indicated that requires a majority that is evident even from a distance.

Shulchan Aruch⁵ rules that tefillin must be square. This requirement includes not only the bayis and the titura but even the stitching must be square. One way to assure that these parts are square is to measure the diagonal since for every one unit of the side of the square there are roughly 1.4 units in the diagonal. Aruch HaShulchan⁶ notes that the ratio between the side of a square and its diagonal are not precise, nevertheless, the Torah has instructed us to measure according to this ratio. Furthermore, even though this ratio is not exact it doesn't matter

דבעינן רוב הנראה לעינים

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not judged by a court of twenty-three as individuals, but they must be judged by the Great Sanhedrin of seventy-one members in Yerushalayim. This is determined from the verse (Devarim 17:5) which says that an individual who sinned is taken "to your gates." This leads us to determine that an entire tribe is not taken to the local regional court, but rather to the Sanhedrin in Yerushalayim. Tosafos notes a sharp contrast between our Gemara and the Gemara in Sanhedrin. The reference to "an individual" in the context of the korban Pesach is understood to exclude the entire nation, whereas the phrase "an individual" in the context of idolatry is understood to be in contrast to a single tribe. Why does the same term "an individual" exclude different things in different cases?

Tosafos answers that we have a precedent that the Torah distinguishes between an individual who worships idolatry who is treated one way, and a full city, a wayward city, which is treated differently, although they are not even a full tribe. We therefore see that the Torah's degree of contrast regarding idolatry for an individual is more narrow than we find regarding Pesach. ■

since it is anyways impossible to produce an exact square. The Torah's expectation is that we should put forward our best effort to make it square and by doing so the mitzvah is fulfilled. ■

1. שוייע ווייד סי כ"א סעי א'.
2. ט"ז שם סק"ב.
3. רש"י ד"ה רוב.
4. שו"ת הרדב"ז ח"א סי י"ב.
5. שו"ע או"ח סי ל"ב סעי ל"ט.
6. ערוה"ש שם סעי ע"ה. ■

STORIES Off the Daf

Joining the Community

"איש נדחה ואין צבור נדחין..."

Acertain man was profoundly depressed. He perceived his many flaws and failings and they pained him, but he did not feel confident that he could atone for them. How could he possibly rectify such serious wrongs?

When Rav Yissachar Dov of Belz, zt"l, was asked what someone in this state of mind should do, he offered powerful words of encouragement. "You must understand that God never rejects the Jewish community, as we find in Chullin 29. The halachah is that if an individual is defiled

within the community, he can bring his korban Pesach along with them. His personal sacrifice is not rejected because he is part of the community.

"By the same token, someone who takes stock of himself and finds himself riddled with faults should not give up. Although his feelings of inadequacy push him to abandon his efforts to serve God altogether, God forbid, he must take heart and do what he can. It is true that he is defiled, but if he becomes one with the Jewish community, God will enable him to rectify his many transgressions."¹

The Ohr HaChaim HaKadosh, zt"l, offered different advice to help fight feelings of spiritual inadequacy, however. "A person may contemplate the many mitzvos in the Torah and say, 'How can I possibly

fulfill them as required?' Similarly, someone who has transgressed many sins should beware of what his yetzer hara will surely claim: 'How can you rectify so many evil deeds?'

"It is for this person that Moshe warns us, 'וידעת היום — And you should know today.' He was alluding to Shabbos, regarding which the verse states, 'שבת היום — Today is Shabbos.' Moshe was telling us to how to answer such discouraging claims. We must say in our hearts: 'Our sages explain that keeping Shabbos is likened to fulfilling the entire Torah. Through learning the laws of Shabbos and keeping them carefully, week after week, God will help me rectify my spiritual failings.'"² ■

1. לקוטי מהר"י מבעלזא, חקת
2. אור החיים הקדוש, דברים, ד: ל"ט ■