

OVERVIEW of the Daf

1) Volumes (cont.)

Rav responds to the challenge to his position that food that is smaller than an olive's volume does not have a handle or protector.

R' Yochanan's response to that same Beraisa is recorded.

Another Beraisa is cited that poses a challenge to Rav and R' Yochanan.

Their respective responses to the Beraisa are presented.

Rava cites support for the explanation of the Beraisa according to R' Yochanan.

R' Chanina and R' Yochanan disagree whether a large bean's volume is the smallest measure of food that qualifies for a protector.

R' Yochanan's explanation is further clarified.

Two additional unsuccessful challenges to Rav's position are recorded.

2) Protectors

R' Oshaya inquires whether two protectors combine to make up the measure required for food.

The Gemara further clarifies the question.

Two unsuccessful attempts to resolve the matter are presented and the issue is left unresolved.

3) Handles

A Beraisa records a dispute between Tannaim whether two bones with half an olive's volume of flesh on each bone combine to transmit tum'ah.

Reish Lakish and R' Yochanan disagree whether a hair could serve as a handle for flesh.

R' Yochanan unsuccessfully challenges Reish Lakish's opinion that a hair cannot serve as a handle for flesh.

R' Acha bar Yaakov unsuccessfully questions the defense of Reish Lakish.

Another response to the challenge to R' Yochanan's challenge is presented.

Tangentially, the Gemara cites the source of R' Ilai's explanation.

A second version of the discussion between R' Yochanan and Reish Lakish is cited.

The context of R' Ilai's explanation according to this version is identified. ■

Distinctive INSIGHT

An handle (יד) or protector (שומר) and the size of food for which they apply

ורבי יוחנן אמר כולה ביד והוא דאמר כתנא קמא

The Gemara cited a discussion regarding the volume of food that is subject to the halachos of yad (handle) and shomer (protector). Rav holds that the halacha of yad does not apply to volumes of food that are less than the size of an olive, and the halacha of shomer does not apply to a volume of food which is less than a פול, a large bean. R' Yochanan disagrees with Rav on both of these accounts. He holds that there is no minimum volume of food for which the halacha of yad applies. He agrees that there is a minimum for the volume of food for which we apply the halachos of shomer, and that is the size of a פול, which is less than an olive's volume.

A Beraisa (Tosefta Ohalos, 4:8) is cited regarding two bones from a dead body, each of which has a half-olive size piece of flesh on it. If the ends of the bones without the flesh are placed under a roof of a house, the house is tamei. The entry of the "handles" is considered as the entry of the flesh of the dead, and the house is tamei. Yehuda b. Nekusa disagrees and says that the two half-olive volumes of flesh do not combine, and the house is not tamei. According to Yehuda b. Nekusa we do not apply the rule of "handles" to amounts smaller than the volume of an olive.

Whether Rav wishes to understand the bones connected to the half-olive volumes of flesh to be handles or protectors (שומרים), the Beraisa presents a difficulty for his view, as Rav does not apply handles or protectors to less than a full olive's volume of tum'ah. According to the first version of the Gemara, R' Yochanan understands that the Beraisa is referring to bones serving as handles, and he holds according to Tanna Kamma which allows handles to apply to half-olive volumes. Here, they combine to form a full k'zayis and cause the house to be tamei.

Rashi explains that the reason R' Yochanan does not explain that the Beraisa is considering the bones as protectors is that we see that it uses an example of two bones, and not three or more. If we would be dealing with bones as protectors, the halacha according to R' Yochanan is that a protector functions for any size food, and not just a half-olive. As an handle, though, the bone only functions if the food is at least the size of a bean. This is why the illustration is for where there are only two bones, with a half-olive of flesh on each, and not more bones with smaller amounts on each.

Tosafos refutes Rashi's comment, and explains that R' Yochanan could have explained the Beraisa in terms of a protector, but the choice of two bones and no more is in order to show the view of Yehuda b. Nekusa, who does not allow combining of the flesh even when each piece is the size of a full half-olive. ■

HALACHA Highlight

Holes in parchment

כל נקב שהדיו עובר עליו אינו נקב

Any hole over which the ink passes is not a hole

The Gemara teaches that although one may not write letters of a sefer Torah, tefillin or mezuzos on a hole in the parchment, it is nevertheless acceptable to write on the hide of animals even though it is full of small holes. The reason is that as long as the ink does not pass through the hole it is not considered a hole. Shulchan Aruch¹ codifies this halacha and writes that one should not write a letter over a hole that would cause the letter to look as though it is two separate letters. Da'as Kedoshim² asserts that if there is a very thin crack in parchment and the letter does not appear cracked as a result unless the parchment is bent backwards it is valid. He explains that according to the Gemara all that is required is that the ink should not pass over the hole. Obviously, if the hole widens when the parchment is bent backwards the ink would pass through and nevertheless the Gemara rules that it is valid. This clearly illustrates the fact that all that is required is that the letters appear intact when the parchment is flat even if the letter appears split when the parchment is bent.

Teshuvos Shevet Halevi³ notes that it is very common for ink to go through the parchment even though there is no visible hole in the parchment. He cites authorities who rule stringently

REVIEW and Remember

1. How much flesh makes a bone susceptible to tum'ah ?

2. What is the point of dispute between R' Chanina and R' Yochanan ?

3. What is the point of dispute between Reish Lakish and R' Yochanan ?

4. Regarding tefillin what size hole is considered a hole ?

about this matter basing their position on a Yerushalmi. Shevet Halevi questions whether it is necessary to be stringent about this matter. Parchment becomes invalid when the ink passes through a hole only if one sees the hole through which the ink passes. If one cannot see the hole altogether why should it be invalid just because ink passes through? Even in a case where a hole cannot be seen unless one holds up the parchment to the sun it is subject to debate whether it is valid. Seemingly if it cannot even be seen in the sun it should be valid. He does not, however, issue a definitive lenient ruling about the matter. ■

¹ שו"ע אר"ח סי' ל"ב סעי' י"ג.

² דעת קדושים שם סק"ח.

³ שו"ת שבט הלוי ח"א סי' ט"ו. ■

STORIES off the Daf

Mehadrin Min Hamehadrin

"תפילין היכי כתבינן..."

Today's daf discusses the minutia of writing tefilin.

Many people are stringent regarding various chumros when purchasing tefillin, since this mitzvah is exceedingly precious. Rav Moshe Sternbuch, shlit"z, gives important advice to one who wishes to obtain the best tefillin possible. "Many people pay large sums of money to obtain the best parshios possible, written perfectly with all the dikdukim. It seems strange that they are not careful about what some authorities hold renders the tefillin invalid **בדיעבד**! I am talking about the halachah in the Mishnah Berurah 32:18 regarding two letters that touch

each other. Although the mechaber writes that this can be rectified by erasing the place where the letters are joined even if the two letters became attached as long as the sofer has not yet finished writing the second letter completely, this heter is not certain at all. The Beur Halachah right there brings that both the Vilna Gaon and the Sha'arei Efraim are unsure as to whether this is permitted.

"The Rashba is certain, though.¹ He holds that it is invalid and that this parshah is invalid. The Rama MiPano agrees.² And the Chazon Ish also writes that there is no reliable source to permit erasing in such a case, even though some earlier sources leaned toward leniency. Soferim are absolutely indifferent about this, erasing by rote without hesitation. And this problem cannot be detected after the parshah has been written. Yet it seems obvious that this is a question of possible violation of Torah law and is of

paramount importance."

Rav Sternbuch added, "To be honest, I don't understand why our great teacher the Mishnah Berurah was lenient despite the many stringent opinions. It is also possible that the Mishnah Berurah only means that we can be lenient **בדיעבד**. But l'chatchilah one must certainly be stringent to ensure that he is putting on unquestionably kosher tefilin. In my opinion, if a sofer takes a very high price for what are purported to be very mehudar tefilin, he must be careful of this chumrah too, or he is misleading the public. His price shows that he presents the parshios as being mehadrin min hamehadrin and if he is not careful in this regard, it is obvious that they are not!"³ ■

¹ שו"ת הרשב"א, ח"א, סי' תר"יא

² שו"ת רמ"ע מפענו, סי' ל"ו

³ תשובות והנהגות, ח"ה, סי' ט"ו. ■