

OVERVIEW of the Daf

1) A torn tallis

Rava refutes R' Yirmiyah's challenge to Reish Lakish's position that the halacha of the torn talis does not apply to leather and offers his own interpretation of R' Meir's opinion quoted in the Mishnah cited by R' Yirmiyah.

A contradiction between the Mishnah quoted by R' Yirmiyah and another Mishnah is noted and resolved.

A statement in the second Mishnah is clarified by Abaye.

This clarification is unsuccessfully challenged.

A second version of R' Huna's statement and the subsequent dispute between Reish Lakish and R' Yochanan are presented.

2) MISHNAH: The Mishnah discusses two cases in which small amounts of neveilah meat are attached to the hide of an animal. The second case is disputed by R' Yishmael and R' Akiva and R' Akiva's position is further clarified.

3) An olive's volume of neveilah meat

Ulla in the name of R' Yochanan limits the first ruling of the Mishnah to the case where the hide was removed by the bite of a wild animal but does not apply it if the hide was removed by a knife.

R' Nachman and Ulla further discuss R' Yochanan's qualification.

The continuation of this story and clarification of R' Yochanan's comment are clarified.

4) Combining two acts of touching

Bar Padda and R' Yochanan dispute whether two acts of touching combine to constitute a single act of touching relevant to the transmission of neveilah tum'ah according to R' Yishmael.

It is noted that R' Yochanan's understanding of R' Yishmael is consistent with another statement that he made.

The Gemara explains the parallel between the dispute between R' Yishmael and R' Akiva and the dispute between R' Dosa ben Hurkinos and Rabanan.

Bar Padda's position that we combine two acts of touching is unsuccessfully challenged.

R' Avya the elder asked Rabbah bar R' Huna a question related to R' Yishmael's opinion.

Rabbah bar R' Huna turned the conversation to a different direction and explained that it was because he was unable to answer questions since he drank some wine.

5) Combining two pieces of meat

Ulla rules that two half olive-volume's of meat that are held apart on a splinter do not make the person carrying the splinter tamei.

Two unsuccessful challenges to this ruling are presented.

It is suggested that Ulla's ruling is subject to a dispute between Tannaim.

This explanation is unsuccessfully challenged. ■

Distinctive INSIGHT

An inappropriate degree of disrespect

אמר ליה, האלהים! אי אמר לי יהושע בן נון משמיה לא צייתנא ליה

Rav Oshaya and Rav Ami were discussing a comment of R' Yochanan regarding cutting skin of an animal together with some of its flesh with a knife. At one point, R' Ami expressed astonishment in R' Oshaya's explanation, and he told him, "I swear, that even if Yehoshua bin Nun would have told me this (that a full k'zayis of flesh can be nullified) in the name of R' Yochanan, I would not listen to him!"

Obviously, R' Ami used this emphasis to dramatize his view. Based upon this incident, Beis Yosef (Y. D. 242) concurs with the opinion of Orchos Chaim that if a person uses an expression of emphasis in an argument and says, "I would not listen to you even if you were Moshe Rabeinu!" that this is a completely inappropriate and disrespectful way of referring to Moshe Rabeinu, and the speaker is deserving of lashes. The Gr"a (to Shulchan Aruch ibid., 242:36) notes that this is why R' Ami in our Gemara only said, "...like Yehoshua bin Nun" and did not invoke the name of Moshe Rabeinu.

Sefer Ze'ev Yitraf (Vayikra 113) questions why, in terms of disrespect, there should be a difference between using the name of Moshe Rabeinu or that of Yehoshua bin Nun. Either way, the speaker seems to be expressing disgrace by declaring that he would reject a teaching and not accept a particular explanation even if it were given by this great person. He then explains that the ruling of Orchos Chaim to administer lashes is not merely because the person is saying that he would not listen to Moshe Rabeinu, but the person is saying that he would reject this halacha even if Moshe said this halacha in his representation of God's direct word. This is not only disrespectful, but also blasphemous. Birkei Yosef explains that using the name of any other prophet is just a manner of emphasis, albeit one which is inappropriate. Using the name of Moshe Rabeinu, the master of all prophets, is completely distasteful, reprehensible, out of bounds, and deserving of lashes.

Chasam Sofer rejects the proof of the Beis Yosef from our Gemara to the opinion of the Orchos Chaim. Chasam Sofer holds that if someone would say that he would not accept an argument even in the name of Moshe Rabeinu, he would not get lashes, because a statement made by Moshe Rabeinu based upon his own logic is not infallible. R' Ami was saying that a lesson taught by Yehoshua in the name of Moshe Rabeinu may be erroneous, either in logic or due to a misunderstanding of Yehoshua of what Moshe said. Yet, we are required to accept a statement of Moshe said in the name of God, and we can never suggest that Moshe might have misunderstood God's intent. If this were subject to second guessing, the entire Torah would be questionable, ח"ו. ■

*Today's Daf Digest is dedicated by Mr. and Mrs. Chaim Fisher
In memory of their mother*

מרת בת' ר' צבי הירש, ע"ה

HALACHA Highlight

“Even if you were like Moshe Rabbeinu”

אי אמר לי יהושע בן נון משמיה לא צייתנא ליה

Even if Yehoshua bin Nun told this to me in his name I would not listen

Beis Yosef¹ in the name of Orchos Chaim writes that if two people are arguing and one says to the other, “I wouldn’t accept that even if you were like Moshe Rabbeinu,” he should receive lashes for the disrespect. Beis Yosef suggests that it is for this reason that R’ Nachman in our Gemara declared that “had Yehoshua bin Nun said that in his name I wouldn’t listen to him.” The reason he chose Yehoshua bin Nun rather than Moshe Rabbeinu was that it is prohibited for a person to use such a phrase. This halacha is recorded in Shulchan Aruch² as well.

There is a disagreement amongst the Poskim regarding the rationale behind this halacha. Taz³ suggests that such a statement is prohibited because it gives rise to the possibility that there could be someone who is comparable to Moshe Rabbeinu which is in and of itself disrespectful to Moshe Rabbeinu. He also cites Yam Shel Shlomo⁴ who cites this ruling and comments that it is a novel ruling since it is just an expression and in his opinion it does not demonstrate any sort of great disrespect for Moshe Rabbeinu. Nevertheless, he agrees that person should be instructed to fast on Monday-Thursday-Monday for atonement.

Chasam Sofer⁵ also expresses surprise at Shulchan Aruch’s ruling and cites the Gemara in Eiruvin (18b) that seems to refute it as well. The Gemara states that one who counts out money to a woman or has her count out money for him so that he could gaze

REVIEW and Remember

1. How can one prevent his oven from becoming tamei ?

2. What is the point of dispute between R’ Yishmael and R’ Akiva ?

3. Explain the principle יש נוגע וחוזר ונוגע.

4. What was the reason Rabbah bar R’ Huna did not want to answer a question ?

at her beauty, even if he is comparable to Moshe Rabbeinu who received the Torah on Har Sinai, will not be saved from judgment in Gehinom. We see that Chazal also used Moshe Rabbeinu for emphasis. Teshuvah Mei’ahava⁶ cites Levush who explains that Shulchan Aruch’s ruling is not that using Moshe Rabbeinu in and of itself is disrespectful. It is only when one declares that even if he heard this halacha from Moshe Rabbeinu he wouldn’t even accept it has he crossed the line. This demonstrates disrespect for Torah in general that was given to us via Moshe Rabbeinu. ■

¹ בית יוסף יו"ד ס"ס רמ"ב.
² שו"ע יו"ד סי' רמ"ב סעי' ל"ו.
³ ט"ז שם סק"כ.
⁴ ים של שלמה ב"ק פ"ז סי' נ"ג.
⁵ הגהותיו ליו"ד שם.
⁶ הגהות תשובה מאהבה לשו"ע. ■

STORIES off the Daf

A Strange Answer

”ערבא פרח...אני סמכוני באשיות...”

Sometimes a usually kind and patient talmud chacham may say something that appears insensitive. The Meiri, zt”l, learns an interesting halachah regarding this kind of situation from an exchange brought on today’s daf.

“In Chullin 124 we find that when questioned, Rav Huna put Rav Avyah Savah off by saying, ‘The raven flies...’ We see from this that a person should never overburden a talmid chacham who is fatigued, sick, or weak due to his

day’s exertion in yeshiva or from giving a lecture. And if one thrusts himself on an exhausted chacham and he replies like a simpleton to show that he does not wish to discuss the question, he should not complain, even if the questioner is a great person. In Chullin, when Rav Huna was asked why he embarrassed Rav Avyah, he replied that he was worn out from his exertions.”¹

Rav Shlomo Zalman Auerbach, zt”l, similarly explains. “Rav Huna embarrassed Rav Avyah Savah since he should have seen that Rav Huna was worn out and unable to answer sharp questions. Because of his lack of sensitivity he deserved this!”²

But the Pardes Yosef, zt”l, explains this differently. “Although Rav Huna

used an unusual expression, he did not mean to embarrass Rav Avyah Savah. When he said, ‘The raven flies,’ he was referring to the raven that Noach sent to see if the flood had subsided. In this manner he hinted why he was unable to reply to Rav Avyah’s questions. He was saying: ‘Just like the raven did not come back to Noach with a response, I also cannot reply just now.’”³ ■

¹ מאירי כאן
² מנחת שלמה על מסי' ביצה ע"י קצ"א
³ פרדס יוסף, שמיני, י"א: ט"ו. ■

Today's Daf Digest is dedicated as a zechus for a refuah sheleimah for שלמה ברוך בן שיינדל ברכה דינה חיה שרה בת שיינע מירה