

OVERVIEW of the Daf

1) Uncertain consumption of cheilev (cont.)

Two more unsuccessful challenges to R' Zeira's understanding of Rav are presented.

Rav's opinion is cited and explained by a third Amora.

The difference between R' Nachman's explanation and R' Zeira's explanation is identified

Numerous unsuccessful challenges to R' Nachman's position are presented.

Rav states that one who ate a piece of meat and is uncertain whether it was cheilev or shuman has touched upon a case that is debated by R' Eliezer and Chachamim.

R' Eliezer's position about this matter is clarified.

A related Beraisa is cited.

R' Ashi clarifies the Beraisa's last ruling.

2) Awareness between two uncertain transgressions

A Beraisa presents a dispute regarding liability if one has an awareness between two uncertain transgressions.

R' Zeira suggests one understanding of Rabbi.

Rava offers another understanding of Rabbi's position.

Abaye unsuccessfully challenges Rava's position.

A second version of the related conversation between Abaye and Rava bar Chanan is recorded.

R' Idi bar Avin unsuccessfully challenges R' Zeira from a Mishnah.

Rava also unsuccessfully challenges R' Zeira's explanation.

It is noted that Reish Lakish made the same inference from Rabbi's ruling as R' Zeira.

R' Yochanan disagrees with Reish Lakish.

An unresolved challenge to Reish Lakish's explanation is presented.

The Gemara begins to note an inconsistency in each of their respective positions. ■

REVIEW and Remember

1. According to R' Nachman what is the rationale behind Rav's ruling?

2. What is the point of dispute between Tanna Kamma and Rabbi?

3. Explain: ידיעות ספק מחלקות לחטאת.

4. For what does Yom Kippur not atone?

Distinctive INSIGHT

An asham talui only where there were two pieces

אמר רב נחמן מאי טעמא דרב קסבר שתי חתיכות איקבע איסורא

Rav said that an asham talui must be brought only where a doubt resulted where a permitted and a prohibited item were present, and it is unknown if the sin was committed or not.

Three explanations are given to explain the reason for Rav's rule. Rava and R' Zeira explain that this is due to either a scriptural edict, or that when there are two items the remaining one can possibly be examined and the issue of whether the sin occurred could be ultimately resolved. R' Nachman explains that an asham talui is brought only when there were two items involved in the original mishap, because in this scenario we know that there was a forbidden object in front of him (איתחזק איסורא) when the act of eating occurred.

Rambam (Hilchos Shegagos 8:2) rules according to the explanation given by R' Nachman. Therefore, he rules (ibid. 8:4) that if there were originally two pieces of fat, one permitted and one prohibited, and a non-Jew took one and ate it, a Jew who comes and eats the one remaining piece would have to bring an asham talui. This case is one where the prohibited item was initially present, so it qualifies for an asham talui. However, according to the reasons given by Rava and R' Zeira, the Jew who ate the one and only remaining piece would not bring an asham talui.

Kesef Mishnah wonders, though, how Rambam rules according to R' Nachman, when we find a disagreement in a Beraisa regarding the issue of a non-Jew eating one of two pieces and a Jew later eating the remaining piece. R' Nachman who says that the Jew does bring an asham talui agrees with the view of Rebbe in the Beraisa, while Rava and R' Zeira hold according to Chachamim who say that he is exempt. We would expect that the halacha would be according to Rava, who is a later authority, especially when this is also in accordance with the majority opinion.

Several approaches to resolve this ruling of Rambam are presented among the Achronim. Lechem Mishneh says that the Mishnah on 23a plainly says that if one piece remains out of two that an asham talui is brought. Rambam therefore rules according to this anonymous Mishnah, although it is according to R' Nachman and Rebbe.

Aruch HaShulchan HoAsid (219:13) explains that Rambam rules according to R' Nachman in this case because Rambam's view is that we are not strict when dealing with a doubt in Torah law (see Hilchos Tum'as Meis 9:12). Therefore, the entire need for an asham talui in a case of doubt must be understood. Rambam therefore concludes that the requirement for this korban is when the presence of the prohibited item has been established, which is the approach of R' Nachman. ■

HALACHA Highlight

Is it prohibited to eat on Yom Kippur if one already ate a date's volume?

מה אילו אכל כזית חלב שחרית וכו'

And if one ate an olive's volume of cheilev in the morning etc.

The Gemara explains that the case in which one is liable for eating two times on Yom Kippur occurs when one eats an olive's volume of cheilev in the morning and an olive's volume of cheilev in the afternoon. Tosafos¹ wonders why the Gemara gave the example of a person who ate cheilev rather than a person who ate kosher food. Aruch LaNer² answered by first introducing a question related to the essential prohibition against eating on Yom Kippur. If someone was deathly ill and permitted to eat more than a date's volume (ככותבת) so that he would no longer be in danger is it permitted for him to eat even after his life is no longer in danger? At first glance one would say that the only allowance is to eat what is necessary to remove one's self from danger but once that danger no longer exists, the prohibition against eating returns. On the other hand, one could argue that there is no prohibi-

tion against eating on Yom Kippur; the mitzvah is for one to be afflicted and once one ate because his life was in danger he will no longer be afflicted so there is no value to fasting for the remainder of the day. Alternatively, one could assert that the obligation for affliction is not measured based on the entire day; rather at each moment one should afflict himself and once his life is not in danger he must be afflicted for the remainder of the day.

Aruch LaNer wrote that it seems logical that once a person ate a date's volume and no longer feels afflicted there is no obligation for him to refrain from eating the remainder of the day. Accordingly, he resolves Tosafos's question regarding the Gemara's case of one who ate an olive's volume of cheilev in the morning and another olive's volume of cheilev in the afternoon. If one ate the volume of a date in the morning he will no longer be in a state of affliction and it would not be a violation of Yom Kippur for him to eat again in the afternoon. Therefore, Tosafos chose a case of eating an olive's volume of cheilev in the morning so that he is not satiated and when he eats another olive's volume in the afternoon he again violates the prohibition against eating. ■

¹ תוס' ד"ה הא דנקט.

² ערוך לנר ד"ה הא דנקט. ■

STORIES off the Daf

The Day of Atonement

"שכל היום מכפר..."

Today's daf discusses the atonement of Yom Kippur. Yom Kippur is certainly the ultimate "day of atonement," and one must obviously exert himself to do the best teshuvah he can on this most precious day.

In Belz – as in many places – the custom was for the rav to give a derasha before kol nidrei. One year, Rav Aharon of Belz encouraged the community to do teshuvah in an inspiring manner. "The Mishnah says we must gently remind our household of three things on Erev Shabbos: **עשרתם?** Have you tithed? **ערבתם?** Have you made an eiruv? **הדליקו את הנר** —light the Shabbos candles.

"Yom Kippur is also called Shabbos in the verse and these three things can

also be understood to refer to the special avodah of this special day. **עשרתם:** we have already passed through the ten days of teshuvah; **ערבתם:** Erev Yom Kippur, the holy prelude to this day of atonement, has already transpired; **הדליקו את הנר:** people are already lighting candles in honor of Yom Tov! It is time for us to become aroused and light the **נר מצוה** through doing a genuine teshuvah!"¹

When the Chozeh of Lublin, zt"l, would hold the Torah during kol nidrei he would cry, "Master of the world! I want to do teshuvah!"²

The Rebbe of Tzanz, zt"l, taught that today Yom Kippur atones even for those who don't know enough to do teshuvah. "The Rambam holds that Yom Kippur itself atones—even without teshuvah—only when we have the scapegoat. When there is no Beis HaMikdash and no goat, failure to repent on Yom Kippur means it cannot atone for one's sins.

"Nowadays, we are already living in the days of Moshiach. Although Moshiach has not yet come and we haven't been redeemed, this is only because we are not yet worthy. Yet the times of Moshiach are here now. It follows that the spiritual influence of Moshiach is also with us. Just as whatever God does for good is never completely nullified, today, even one who doesn't understand that he should do teshuvah on Yom Kippur is also afforded atonement on this most holy day!"³ ■

¹ תבין לבם, עי קכ"ח

² נר התורה, שבת תשס"ד, עי רנ"ו

³ בצילא דמהימנותא, מטו"מ, תשס"ב, עי 6 ■