

## OVERVIEW of the Daf

- 1) **MISHNAH:** The Mishnah presents many of the parameters of the mitzvah of tithing animals.
  - 2) **Animal tithing outside of Eretz Yisroel**  
It is noted that the Mishnah that obligates tithing animals outside of Eretz Yisroel is inconsistent with R' Akiva's position.  
It is explained how the Mishnah could be reconciled even with R' Akiva's position.  
Support for this interpretation is presented.
- 3) **Tithing animals nowadays**  
The reason we do not tithe animals nowadays is explained.  
This explanation is successfully challenged and Rabbah suggests another explanation for why animals are not tithed nowadays.  
The source for Rabbah's explanation is presented.  
This explanation is unsuccessfully challenged.
- 4) **Tithing consecrated animals**  
The necessity for the ruling that sacred animals are not tithed is explained.  
This explanation is unsuccessfully challenged.  
The source that something with greater sanctity cannot take effect on something with a lesser degree of sanctity is cited.  
The reason an exposition is necessary to teach that kodoshim kalim are exempt from tithing is explained.  
The practical application of this ruling is identified.
- 5) **Tithing old and new animals**  
The source for the restriction against tithing old animals for new animals or vice versa is cited.  
This explanation is unsuccessfully challenged.
- 6) **Tithing one species of grain for another**

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## REVIEW and Remember

1. Is one obligated to tithe animals outside of Eretz Yisroel?  
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2. Explain חיישינן לתקלה.  
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3. Who owns kodoshim kalim?  
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4. What is the source that one may not tithe old and new animals for one another?  
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## Distinctive INSIGHT

*Designating a ma'aser animal nowadays creates an obstacle*  
משום תקלה

Although the Mishnah rules that ma'aser of animals applies in our days, even when we no longer have a Beis HaMikdash, the Gemara notes that we do not separate ma'aser from our animals. The sages have discontinued this practice. Rava explains that the reason for this is that we are afraid of "an obstacle—תקלה."

Rashi explains that with the destruction of the Beis HaMikdash we currently have no altar upon which to offer a ma'aser offering. If we were to designate an animal as ma'aser, we would have to guard it and avoid blemishing it, until such time that it developed a blemish on its own. The sages were concerned that having ma'aser animals roaming around would lead to accidental shearing of their wool, working with the animals, or even their being sheched before their developing blemishes. The Beraisa later (61a) teaches that a ma'aser animal in our days has to be allowed to die (by being restricted to an enclosure until it dies), and we do not allow it to be held indefinitely.

Noda B'Yehuda (2:Y.D. #189) notes that the Gemara in Yoma (66a) says that a consecrated animal which developed a blemish is redeemed, and at that point it is not allowed to be shorn and no work may be done with it. The Gemara there points out that we do not require that these animals be put into an enclosure to die in order to avoid the obstacle that they might inadvertently be shorn or used for work. We allow these animals to roam until they develop a blemish on their own, when we may shecht them. Obviously, we trust that in the meantime people will realize that this animal is not permitted for these purposes, and this risk is not a concern. Noda B'Yehuda therefore asks why does Rashi include these factors as part of the reason why we do not designate ma'aser animals in our days?

Noda B'Yehuda explains that Rashi understands that the conclusion of the Gemara in Yoma is that in general, animals that have become disqualified from the Altar are allowed to graze until they become blemished, and we are not concerned that they may be accidentally taken to be used for an offering. This is because once the animal is blemished, in his mind, its owner removes this animal from his inventory of resources available for offerings. He thereby realizes that the blemished animal is different, and he will also not shear it or work with

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L'Illui Nishmat Avraham ben Simcha,

# HALACHAH Highlight

## The timing of the rebuilding of the Beis HaMikdash

מהרה יבנה בית המקדש ובעינין בהמה להקרבה וליכא

The Beis HaMikdash should be speedily rebuilt and they will need animals for korbanos and none will be available

The Mishnah taught that the mitzvah of tithing one's animals applies even nowadays. The Gemara explained that Chazal uprooted this mitzvah out of concern that someone will sanctify his tenth animal and may shear or work that animal thereby transgressing the prohibitions against doing so. The Gemara suggests that rather than uproot the mitzvah the animal owner should blemish all of his animals so that the one that comes out tenth will be a blemished ma'aser animal and will not become sanctified. The response was that if this course of action was to be followed there would not be any available animals for when the Beis HaMikdash is rebuilt; it should be speedily in our days. The concern that redemption could happen on any day is an issue discussed by the Poskim.

The Gemara in Taanis (17b) rules that kohanim even nowadays may not drink wine out of concern that the Beis HaMikdash will be rebuilt and there won't be any kohanim available to serve since they will be disqualified for having drunk wine. Gevuros Ari<sup>1</sup> questions this from the Gemara

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it. However, a unblemished ma'aser animal is not an outcast at all. To the contrary, the owner anticipates bringing it when the Beis HaMikdash will imminently be rebuilt. He keeps an eye on the animal and it is guarded in close vicinity of the other animals. This, therefore, would lead to the unique risk that the ma'aser animal might be confused with the others. The only solution is to let it die. ■

in Rosh Hashanah (11a) that records a debate between R' Eliezer and R' Yehoshua whether the future redemption will occur in Tishrei or Nissan. As such according to R' Eliezer it should be permitted for kohanim to drink wine in any month other than Tishrei and according to R' Yehoshua the restriction should be limited to Nissan. He answers this question based on the Yerushalmi that states that the Beis HaMikdash will be built before the restoration of the Davidic Kingdom. Accordingly, there is no fixed time when the Beis HaMikdash will be built and thus our Gemara is concerned for the possibility that there will be no unblemished animals available for a korban. Similarly, the Gemara in Taanis is concerned that the Beis HaMikdash will be rebuilt at any time and kohanim will not be available to serve. The dispute between R' Eliezer and R' Yehoshua revolves around a later era when the Davidic Kingdom will be restored. ■

1. גבורת ארי לתענית י"ז. ד"ה אסור. ■

# STORIES Off the Daf

## Waiting for Moshiach

מהרה יבנה בית המקדש

On today's daf we find that one may not blemish his entire herd before taking maaser since our attitude is that Moshiach will come imminently and we will need unblemished animals to sacrifice.

In his time, the Chofetz Chaim, zt"l, was almost unique in his absolute conviction that Moshiach will be coming extremely soon. He recommended learning kodoshim since the Beis HaMikdash will surely be rebuilt soon and the avodah will be restored. He lived with deep emunah that the redemption was imminent. This attitude was palpable even in how he answered those who asked him questions.

When a certain man got permission from the Chofetz Chaim to go to America for five years he was shocked when the gadol told him to take his family with him. "If you are going you should definitely take your family. We must assume that Moshiach will surely be here within five years. Obviously it is not worthwhile for one to be separate from his family during such tumultuous times."<sup>1</sup>

The Chofetz Chaim was so completely filled with longing for Moshiach that whenever a din was heard from outside his home—obviously something had happened and people were excitedly talking about it—the Chofetz Chaim would immediately tell someone present to go outside and check what happened. "We must check what happened; perhaps there is news of Moshiach..."<sup>2</sup>

Every weekday the Chofetz Chaim would wait for Moshiach. He even had a

special coat to wear when he greeted Moshiach. From time to time he would wear his "Moshiach kappotah" and sit waiting for the redeemer.

The only time he did not wait in an overtly noticeable manner was on Shabbos. Isn't Shabbos itself compared to the next world? Shouldn't one feel on Shabbos that one is already experiencing the days of the redemption? For him, "waiting" on Shabbos meant that he would yearn that Shabbos would never end!"<sup>3</sup> ■

1. קובץ שיחות המשגיח רבי יחזקאל לווינסטין, זצ"ל, ע' 177
2. מאיר עיני ישראל, ח"ב
3. החפץ חיים חייו ופעלו, ח"ב, ע' תפ"ו ■

(Overview...continued from page 1)

A Mishnah rules that one may not separate terumah or maaser from one grain for another.

The source for this ruling is cited. ■