



OVERVIEW of the Daf

1) Italian issar (cont.)

The Gemara continues to unsuccessfully challenge R' Nachman's position that Chazal speak from the perspective of עד ועד בכלל.

2) Removed spleen

R' Avira in the name of Rava asserts that an animal is not a tereifah if its spleen is punctured.

This assertion is unsuccessfully challenged.

3) Kidney

Rachish bar Pappa in the name of Rav rules that an animal that has a diseased kidney is a tereifah.

This ruling is further clarified.

R' Nechunya reports that in Eretz Yisroel they agreed that a diseased kidney is a tereifah, but disagreed with the view that an animal with a punctured spleen is a tereifah.

This ruling regarding a punctured spleen is clarified.

4) Lungs and kidneys

In Eretz Yisroel they contend that defects in the lungs that render an animal a tereifah do not render an animal a tereifah if they occur in the kidneys.

The implication is that a defect in the lung that does not render an animal a tereifah certainly does not render an animal a tereifah in the kidneys.

This assertion is successfully challenged.

Tangentially, the Gemara discusses when puss in the kidney renders an animal a tereifah.

5) Uterus

A Baraisa identifies three different terms used for the uterus.

6) Shriveled lung

A Baraisa presents a dispute when a shriveled lung renders an animal a tereifah.

The Gemara inquires whether R' Shimon ben Elazar was expressing a lenient or stringent position.

(Continued on page 2)

Distinctive INSIGHT

The salvaged piece of broken pottery

שיעורן בכדי סיכת קטן

There are various halachos which depend on measurement, and sometimes the standard used is the size of a sela coin. Rashi illustrates with the halacha of the skull of a person which transmits tum'ah to items under a common roof. If this bone is lacking a certain amount, the tum'ah is no longer in effect. A "skull" is only intact and remains a source of tum'ah until (עד) it is missing bone which is the size of a sela coin. Rav Nachman explains that "the size of a sela coin" which is used to measure this halacha refers to the amount lacking from the skull, which point begins with the size of a sela coin itself, and not only beyond. The Gemara notes a precise aspect of this statement. When we say that the skull is intact "until" it is lacking a piece the size of a sela, the word "until" is non-inclusive of the limit itself, because once a sela size of bone is missing, the skull is already deficient and does not transmit tum'ah. The Gemara tries to prove that R' Nachman generally holds that the term "עד—until" is non-inclusive of its limit, and in any particular halacha where this term is used it should be understood that the rule being discussed applies only up to, but not at or beyond the limit which is set.

One of the examples brought to clarify this rule is a Mishnah in Keilim (19:2). Small earthenware vessels which break might still be capable of being tmei'im if they have a function—e.g., part of their base or even their sides which can stand without support and hold enough oil to be spread on a small child. This is the amount necessary if the original vessel held "up to" a log of oil. If a vessel originally held more than a log, the size of the piece needed to remain is discussed as the Mishnah continues. The Gemara reviews the laws of that Mishnah to see if we can prove that the term "עד—until" means up to but not including, or whether it means up to and including.

Tosafos explains that the measurements listed in the Mishnah in Keilim are referring to where the broken piece of a vessel was specifically designated to be used to hold oil for the purpose stated in the Mishnah. For example, this means that if a vessel breaks, the salvaged pieces will only retain a status of tum'ah if they can still contain a specified amount of oil, and only if the oil in these pieces is designated and planned to be used for rubbing on a child. Although there is a disagreement among the Rishonim, Tosafos proves his contention by citing a Gemara in Shabbos (95b). If a container used to hold olives becomes punctured so that it cannot be used for olives, it is no longer impure. But, if the hole is small enough that the container can now be used to hold pomegranates, it may still become impure. Rashi explains that this is only true if the container is now designated for pomegranates. ■

REVIEW and Remember

1. Explain the principle כל שיעורי חכמים להחמיר.
2. Is an animal a tereifah if its kidneys are diseased?
3. What is the procedure to determine whether an animal whose lung shriveled is kosher?
4. How much skin must an animal retain in order to not be a tereifah?

HALACHAH Highlight

Shrunken kidneys

If the kidney shrinks etc.

The Gemara declares that an animal is a tereifah if a kidney shrivels in size. Kol Bo¹ cites Ra'avad who explains that a shriveled kidney renders an animal a tereifah only if it shriveled as a result of illness. If, however, the animal's kidneys were always smaller than usual the animal is kosher. Therefore, Ra'avad writes that whenever one discovers an animal with small kidneys he must determine whether it is the result of illness. Sefer Doveir Shalom² notes that Ra'avad's ruling indicates that an animal does not die just because its kidneys are small, for if small kidneys would kill an animal then even if the animal was born with small kidneys this should be considered a tereifah condition. Since it is only shrunken kidneys that render the animal a tereifah, it must be that the kidneys are a gauge for the overall health of the animal. Therefore, in the event that the kidneys shrink it is evidence that the animal's health is failing and that is the reason it is a tereifah.

Shulchan Aruch³ rules that if the kidneys of a small animal shrink to the size of a bean or if the kidneys of a large animal shrink to the size of an average grape the animal is a tereifah. However, this is only true if illness caused the kidneys to shrink but if the animal was born with small kidneys it is kosher. The way to determine whether the animal was born with small kidneys or whether the kidneys shrunk is to examine the membrane. If the membrane is shriveled it is an indi-

הכוליא שהקטינה וכו'

(Overview...continued from page 1)

A Baraisa is cited that demonstrates that R' Shimon ben Elazar was expressing a stringent position.

A related incident is recorded.

7) **A flayed animal**

A Baraisa elaborates on the dispute whether a flayed animal is a tereifah.

R' Shimon ben Elazar's implication that R' Meir disagrees with Rabanan about the status of a flayed animal is unsuccessfully challenged.

R' Yehudah in the name of Shmuel identifies where on the animal's body skin the size of a sela must remain in order to be considered kosher.

The Gemara inquires about and then clarifies Shmuel's ruling.

Two additional opinions are cited regarding the position of skin necessary for a flayed animal to be kosher.

The Gemara inquires about the status of an animal whose skin is intact except for the three essential locations mentioned by the previous Amoraim, and the matter is left unresolved.

Rav and R' Yochanan offer additional places where skin the size of a sela may appear to prevent an animal from being a tereifah.

R' Assi unsuccessfully challenges R' Yochanan's position. ■

cation that the kidney shrunk. If it is not shriveled at all and the size of the membrane matches the size of the kidney it is an indication that the animal was born with small kidneys and is kosher. ■

1. כל בו איסור והיתר דף עב עמוד ד – עג עמוד א.
2. ספר דובר שלום בחלק פרט וכלל לדף נה עמוד ב.
3. שריע יו"ד סי' מ"ד סעי' ה'.

STORIES Off the Daf

The Hands of Heaven

"בידי שמים כשרה בידי אדם טרפה"

In Europe people noticed a very strange phenomenon. After a fire—in which people lost everything—the victim would often become wealthier than before. This odd experience happened often enough for the people to coin a phrase about it: "After a conflagration, people become wealthy."

The Chidushei HaRim, zt"l, addressed this strange convergence of seemingly unrelated events. "We may wonder why people don't become wealthy after

being victim to a robbery, which is also a devastating experience. The answer can be extracted from the gemara in Chulin 55. There we find that a lung which becomes dry and shrunken or hardened due to man's actions is tereifah but if the same thing happens from heavenly causes it is kosher. The same is true regarding the difference between a fire and a robbery. A fire is from heaven. Like a lung that has atrophied, one who experiences can recuperate and sometimes does even better after his convalescence. A robbery shrinks one's assets through man's efforts. It is therefore rarer for one to recover from theft."¹

But Rav Pinchas of Koretz, zt"l, explained this differently. "It is not by acci-

dent that people usually do better after a fire but not after robbery or the like. Because a fire is so devastating, people feel bad for the victims. When many people are pained by a fire, this makes an indelible impression on high. Like a heartfelt prayer offered by the community, their pain causes the person's losses to be made up and even often brings more in its wake. When it comes to other losses that arouse less sympathy, it is only natural that one compensates with much greater difficulty. The community is not so pained, so the resulting siyaata d'shmayah is less."² ■

1. ליקוטי הר"ם, ח"ב, ע' פ"ח
2. אמרי פנחס

