



OVERVIEW of the Daf

1) Me'ilah (cont.)

The Gemara questions whether in fact the previously-cited Baraisa represents two different opinions and Abaye confirms that it does.

Rava identifies two cases in which Rav and R' Yochanan would agree that sacred objects remain subject to me'ilah despite their disagreement regarding the ashes taken from the altar.

The necessity for Rava to point this out is explained.

Rava qualifies an earlier ruling related to circumstances in which the me'ilah payment is thrown into the sea.

2) **MISHNAH:** The Mishnah discusses the halachos that apply to sacred items that do not have permitters.

3) Sacred items that do not have permitters

A Baraisa is cited that provides the source that nosar and tamei prohibitions apply to sacred items that do not have permitters.

הדרן עלך חטאת העוף

4) **MISHNAH:** The Mishnah discusses the status of the "five Chataos that are left to die." ■

REVIEW and Remember

1. Is there a mitzvah to turn over the meat of kodoshim kalim on the Altar?

2. When do sacred items that do not have permitters become subject to the prohibition of nosar?

3. In what way is the tum'ah prohibition more lenient than other prohibitions?

4. What are the five Chataos that are left to die?

Today's Daf Digest is dedicated
 ר' יהוסף בן הרב פנחס שלום הלוי ע"ה
 ומרת טובא בת ר' דוב ע"ה

Distinctive INSIGHT

Not to designate something solely to be destroyed

אין מפרישין מתחלה לאיבוד

A Baraisa cited on 9b taught the halacha regarding someone who accidentally used some of the money that was set aside to purchase a chattas or asham. If this happened before the chattas or asham was offered, and the animal to be used had not yet been purchased, he should pay back the money he took plus the one-fifth penalty, and add it to the remaining money to then purchase an animal for a chattas or asham. If, however, the offering had already been brought, he should take money to pay back what he used, add the one-fifth penalty, and the money should be destroyed by being thrown into the Yam HaMelach. The reasoning is that by benefitting from money set aside for a chattas, the person must pay back the money plus the one-fifth penalty. However, when the chattas has already been bought without these replacement funds, the payment has the law of a chattas animal whose owner has already been atoned for. Such an animal must die, and the money, which is in its stead, is to be destroyed.

On our daf, Rava explains that money may not be initially set aside in order to be destroyed. Rather, the Baraisa's ruling is referring to a case where the person who benefitted from the chattas money realized his error while the chattas animal had not been purchased. The intent was that the replacement money would be used to purchase the chattas animal. However, an animal was bought and it was offered without using those replacement funds. Because the intent was to actually use those funds, their designation was appropriate, and now that they were not used, the money is to be destroyed. However, if the person realizes his error only after the chattas had been purchased and offered, no money should now be set aside when it is clear that all that will be done is to destroy it.

Sefer Tzafnas Pa'aneich (to Hilchos Yibbum 1:6) explains that the status of chattas cannot apply to money, because a chattas designation is one where the sanctity is placed upon the object itself, and this cannot happen to money which is to be destroyed.

Sefer Chazon Yechezkel explains that Rava holds that when the principal is repaid together with the penalty of one-fifth, the money has a new designation of chattas. If, however, we would interpret it as a replacement and continuation of the chattas money he used, and it is being paid because of the violation of the property of the holy, then we

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HALACHAH Highlight

Burning challah

אית ליה מצות שריפה לכהנים

There is a mitzvah for kohanim to burn it

Shulchan Aruch¹ writes that nowadays that challah from Eretz Yisroel is not eaten out of concerns for corpse tum'ah; instead we burn it. Rema² adds that the same halacha is true for challah that is made outside of Eretz Yisroel. Poskim discuss whether it is acceptable to wrap one's challah and throw it into the garbage rather than burn it in circumstances in which it would be difficult to burn it. Minchas Yitzchok³ writes that technically it is required to burn challah since it for sure is tamei (adding water to flour makes it susceptible to tum'ah). However, when it is not possible to burn the challah there is a step that one can take to avoid the issue. When one is separating the dough for challah one should declare that less than an olive's volume should be challah and the remainder will be challah only if it will be burned. He should then take the challah and wrap it in paper and place it into the garbage. This procedure is justified according to the opinion that maintains that one is not obligated to burn challah that is smaller than an olive's volume.

Teshuvos R' Yonason Steif⁴ ruled that in a difficult circumstance one should wrap the challah in two layers of paper and then put it into the trash. Shemiras Shabbos K'hil-

(Insight...continued from page 1)

would allow the money to be repaid even after another animal was designated and offered, even though the money would have to be immediately destroyed.

Sefer Kehillas Yaakov writes that the rule of Rava not to set aside money that will immediately be destroyed is the recommended approach, but if one did so his act is valid and the money is consecrated and must immediately be destroyed. ■

chosah⁵ cites this ruling and adds that in those places where the municipality has the practice of burning the trash if one puts the challah into a plastic bag so that it should not become filthy and will remain intact until it is burned one fulfills the mitzvah of burning the challah. Rav Moshe Sternbuch⁶ writes at length about this topic and presents a number of rationales to justify the practice of throwing the challah into the trash when it cannot be burned. One of the rationales that he suggests is based on our Gemara that teaches that the obligation to burn a korban that became tamei is a mitzvah that rests upon kohanim and perhaps the same is true for challah. Therefore since we do not give our challah to kohanim there is no obligation to burn it. ■

1. שריע יו"ד סי' שכ"ב סעי' ד' ו'.
2. רמ"א שם.
3. שו"ת מנחת יצחק ח"ד סי' י"ג אות י"א.
4. שו"ת מהר"י שטייף סי' רע"ו.
5. שמירת שבת כהלכתה פמ"ב סי' נ"ג.
6. תשובות והנהגות ח"א סי' עת"ר. ■

STORIES Off the Daf

Who is in Control?

מועלין בהם

Today's daf continues to discuss the details of me'ilah: misappropriation. Some doctors transgress a similar error. They mistakenly act as though they are in control of people's lives, believing that their ministrations effectively remove God from the picture.

A young father took his son to a well-known Israeli hospital for treatment. As his son's case was a bit complex, he had to speak to the doctor who was the head of the department treating his son. In the course of their conversation the doctor said, with much self-satisfaction,

"You needn't worry; everything is under my complete control."

The young man was taken aback by his expression of self-confidence. He knew that from the Torah perspective a doctor is a messenger, and must be a faithful messenger of the holy task of attempting to heal his patients. But no human can ever be completely in control of anything. He respectfully disagreed with the doctor. "I am sorry, but the One who is in control of all aspects of our lives, including this department, is God."

The secular doctor could not agree, however. "What exactly do you mean by that? I will give God twenty-four hours to demonstrate that He is in control. If I notice nothing, we will have to conclude that I am correct, after all."

The young man was upset by this and went to ask Rav Chaim Kanievsky, shlit"a, if he had acted correctly. "I cannot tell you that; it depends on your kavanah. If you really meant l'shem shamayim, God should help that no bad will come of your confrontation with the doctor."

When the young father went to the hospital the next day, the doctor called him in for an urgent meeting. Speaking in an emotional voice he said, "I am sixty years old and last night, I had a hard time controlling my bodily functions for the first time. I thought about our conversation and realized that if I cannot be sure that my own body is under my control, what right do I have to say so about anything else?"¹ ■

1. מאחורי הפרגוד, ע' 267. ■