

Daf Digest for this month is dedicated in memory of ישראל צבי בן זאב גוטליב ז"ל

By the Weiss/Gotlib Families—London, England

OVERVIEW of the Daf

1) Clarifying R' Yehudah's opinion (cont.)

R' Yehudah finally concedes that he can not prove his opinion correct.

A number of different Amoraim take note of the irony that R' Yehudah was refuted by his own opinion.

2) Clarifying Chachamim's opinion

The Gemara questions whether one must crumble chometz before it is thrown into the sea. A similar question is asked regarding the destruction of an idol.

According to Rabbah an idol does not have to be crushed, but chometz does have to be crushed. R' Yosef takes the opposite approach.

Two Baraisos are cited, one consistent with Rabbah and the other consistent with R' Yosef.

The Gemara explains how each Amora would explain the Baraisa that seemingly supports the opposing position.

3) MISHNAH: The Mishnah teaches the law of chometz that remains after Pesach.

4) Identifying the author of our Mishnah

The Gemara notes that the Mishnah is seemingly inconsistent with the opinions of R' Yehudah, R' Shimon and R' Yosi HaGalili.

A Baraisa is cited that contains the disagreement between these Tannaim regarding if and when chometz becomes prohibited from benefit, and what prohibition is violated during different time periods.

The Gemara clarifies how R' Yehudah and R' Shimon interpret and understand the different relevant pesukim.

The Gemara begins to explain why our Mishnah is inconsistent with the three opinions recorded in the Baraisa. ■

Distinctive INSIGHT

The halachah follows the opinion of Rabbi Yehudah

אמרו לו אשם תלוי וחטאת העוף הבא על הספק... ואתה אומר בקבורה... שתק רבי יהודה

Tosfos (earlier, 27b, ד"ה אין) writes that the halachah follows the opinion of Rabbi Yehuda. Although the argument which Rabbi Yehudah advances in our Gemara is challenged and remains unresolved, nevertheless, the Mishnah in Temurah clearly lists chometz among the items which must be burned, rather than buried—a clear indication that the plain reading of the Mishnah reflects the opinion of Rabbi Yehudah, that chometz must be burned.

The original argument of Rabbi Yehudah was based upon a קל וחומר נותר. קל וחומר חייב כרת. Chometz is more severe, in that it is חייב כרת, so we could therefore conclude that it also should be burned. Chachamim point out that this קל וחומר could result in a leniency. If this קל וחומר would be valid, someone who technically had no ability to burn his chometz would sit idle, rather than destroy the chometz in some other manner. Based upon this refutation, the Chachamim rejected the argument of Rabbi Yehudah.

Tosafos notes that now that we actually rule according to Rabbi Yehudah, we accept his reasoning, and the fact that a קל וחומר might have a lenient outcome is not reason enough to reject it. Therefore, we should also accept his reasoning in a different argument he had with the Chachamim. Rabbi Yehudah rules that the materials to be used to build a sukkah must be only of the four species. Chachamim argue and say that if someone is lacking these specific items, he would sit without a sukkah—a leniency, contrary to the קל וחומר process. Yet, we do not rule according to Rabbi Yehudah in that case.

Tosafos explains that the source for opinion of Rabbi Yehudah is not due to the קל וחומר, but it is due to a במה מצינו we find which associates chometz and נותר. (We hold that it is necessary to destroy by burning parts of an offering which are left beyond their respective deadline of when they may be eaten.) Therefore, it is only in reference to chometz that the halachah is in accordance to R' Yehudah, that it must be burned, but we do not rule according to his opinion in regard to the materials which must be used to build a sukkah. ■

HALACHAH Highlight

Disposing of chometz

וחכמים אומרים מפרד וזורר או מטיל לים

And the Sages say 'crumble it (the chometz) and scatter it in the wind or throw it into the sea.'

Rabah and R' Yosef disagree over the explanation of the Sages' words. Rabah maintains that one is obligated to crumble all chometz before throwing it into the water (a river or the ocean). R' Yosef argues that the chometz will dissolve in the water anyway. Therefore, one need not crumble it beforehand. (R' Yosef does agree that grains of wheat which became chometz, due to their hard consistency, should be crumbled).¹

The Rishonim² differ in regard to the practical halachah. The Mishna Brura³ writes that one should follow the more stringent opinion of Rabah and crumble the chometz before throwing it into the water. However, if one throws the chometz down the toilet⁴ there is no need to crumble it before doing so, even if one flushes hardened bread. This is because it has been thrown into a place where no one will be able to derive benefit from it.

Even though it is our custom to burn the chometz, however this halachah is relevant when erev Pesach falls on Shabbos and one needs to dispose of any remaining chometz. According to the Mishna Brura there is no need to crumble the chometz before throwing it into the toilet. Our custom is nevertheless to crumble the chometz⁵. Another way to dispose of the chometz would be to drench it in bleach⁶ or another type of toxic liquid that would render it unfit for further use or consumption.

The crumbs that one shakes off from the tablecloth onto the floor should be swept⁸. Others say that it is preferable to sweep them to a place of hefker (ownerless area) where they will be eaten by birds. ■

REVIEW and Remember

1. Explain the dispute between Rabah and R' Yosef concerning the proper disposal of avodah zara and chometz?
2. What is the law concerning chometz that was left after Pesach?
3. Explain the basis of the dispute between R' Yehudah and R' Shimon.
4. According to R' Yehudah, why does the Torah equate the prohibition against chometz with the obligation to eat matzoh?

1. רש"י פירש שדי בכך שמפזרים על פני המים, ומאידך לדעת רבינו חננאל, וכל פירש המ"מ בדעת הרמב"ם, צריך לחתוך את החטים דק דק בשעת הדחק שיש לו חטים הרבה וישתהה שהרמב"ם ושו"ע שם פסקו כרב יוסף, והרא"ש פסק כרבה שם ס"ק ה'. (וכן בסימן תמ"ד ס"ק כ"א) ובביה"כ שלנו גם החזו"א מודה דשרי בזה ואפילו לאחר זמן איסורו, כ"כ בפס"ת תמ"ד ח' ותמ"ה ד' מהקנין תורה
2. כ"ז במ"ב שם
3. כ"כ בפס"ת שם
4. שם וכן מתבאר מטעם המ"ב וכדהבאנו בפנים
5. בשו"ע תמ"ד ס"ד ומ"ב שם ס"ק ט"ו
6. ומ"ב כתב שיטאטא ע"י עכו"ם או שינוי, אמנם עי' בשה"צ של"ז ס"ק ב' שכשכל בתי העיר מרוצפים (כבזמה"ז) מותר לטאטאות אה"כ במטאטא קשה כמטאטא קש. וכן סתם בשש"כ פכ"ג אות א'
7. כ"כ בקונטרס של ע"פ שחל בשבת מהגרי"ח זוננפלד אב"ד ירושלים זצ"ל באות ב'. וע"ש באות ה' שרק כתב להפקיר ולא הזכיר העופות ■

STORIES off the Daf

From the work of his own hands

מדויל ידיה משתלים

The Gemara seems to be teaching us a simple life lesson that one can never know the end results of one's actions. But perhaps a deeper explanation can be given. Someone once came to the Ba'al HaTanya, זט"ל, with a complaint that the Chassidim spend so much time discussing Emunah, which is actually such a simple sub-

ject. The Ba'al HaTanya, wishing to prove that it wasn't so simple in the least asked him a question: How would Hashem go about making the table we are sitting at disappear? He first responded that Hashem could make a big fire. The Ba'al HaTanya pointed out that ashes would still remain. The fellow then said that Hashem could then bring a wind to blow the ashes away. The Rov again retorted that the ashes would still be there. Finding himself stumped, he asked the Rov to tell him how, indeed, Hashem could do it.

He responded that all Hashem has to do is to wish that the table no longer exist, and it would cease. This is the basic difference between the creation of Hashem which is constantly being created by Him, and the creation of man.

This reflects the lesson of our Gemara, where once man has created something, his connection to it is lost, and even man himself can no longer control it. ■

