

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) R' Pappa's retraction (cont.)

The Gemara concludes its proof that R' Pappa ultimately retracted his statement regarding Abba Shaul's opinion, and that he agrees that Abba Shaul requires the terumah to contain the volume of a k'zayis and have the value of a perutah to be liable to pay an additional fifth.

2) Clarifying a previously quoted Baraisa

A previously quoted Baraisa contained a contradiction whether kareis is more severe than death in the hands of Heaven or the reverse. The Gemara presents two additional resolutions to this contradiction.

3) Designating chometz as terumah on Pesach

The previously cited Baraisa taught that the only way terumah can be chometz on Pesach is if it was designated as terumah and then became chometz. However, if one took chometz and sanctified it as chometz, all opinions agree that it would not be sanctified.

R' Nachman bar Yitzchak and R' Huna the son of R' Yehoshua present different sources for the ruling in the Baraisa.

4) The status of juice in grapes

R' Acha bar R' Avya taught in the name of R' Yochanan: If one presses less than an egg's volume of tamei grapes, the juice that comes out is tahor. This indicates that the juice inside the grape is not absorbed, but rather contained and separate within the grape.

R' Chisda disagrees and maintains that the juice is tamei, thus indicating that the juice is absorbed in the grape, and when the grape becomes tamei, so does its juice.

R' Acha bar Avya unsuccessfully challenged R' Yochanan's position.

In his defense, R' Chisda cites a Baraisa that supports his opinion, but Rava explains how it could be explained according to R' Acha bar Avya.

5) Tamei wheat kernels

A Baraisa ruled that one may take terumah bread that became tamei and use it as fuel for a fire. Abaye and Rava in the name of others taught that this ruling does not apply to wheat kernels, because of the concern that one may remove them from the fire and eat them.

R' Yochanan disagreed and ruled that even wheat kernels may be used to fuel a fire. The Gemara explains that he is not concerned that one may eat the kernels because we are referring to a case where they were boiled before they were thrown into the fire, thus rendering them disgusting to eat. ■

Distinctive INSIGHT

Restitution for terumah must be edible

אין תורמין מן הטמא לטהור ואם תרם בשוגג תרומתו תרומה. ואמאי לימא לו ולא לאורו לא קשיא התם היתה לו שעת הכושר הכא לא היתה לו שעת הכושר

Terumah can only be designated in a manner whereby not only will the kohen be able to benefit from it by igniting it, but also where he will be able to eat from it, as well. The verse teaches "תתן לו" - it must be given for him, for the kohen to eat, and it is not enough that it be available for his fire. For example, according to Rabbi Yosi HaGalili, it is permitted to derive benefit from chometz on Pesach, but eating it is forbidden. If a person would separate terumah from chometz on Pesach, this would not be valid, because although the kohen could burn it, he cannot eat it. In this case, we would be lacking "לו".

The Gemara asks a question from a Mishnah in Terumos (2:2), where terumah which is tamei can be taken as representative for grain which is tahor. Here, again, the terumah which is tamei cannot be eaten, but it may be used for benefit, as fuel. Why should this be allowed? Is this not a violation of the rule that terumah is only valid if it can be eaten?

The Gemara answers that it is true that terumah that is tamei cannot be eaten, but in this case it is acceptable nonetheless, because the grain had a שעת הכושר—a window of opportunity when it was edible, before it became tamei. The grain was tahor at least until the time of harvest. The case of chometz, however, is a case where the grain became chometz while still connected to the ground, and it never had a moment of being edible on Pesach.

Rabeinu Peretz analyzes the answer of the Gemara and how it instructs us to read the verse. According to the conclusion of the Gemara, when the Torah says "תתן לו" it only excludes grain which never was eligible to be eaten. Yet, the reading of the verse seems to suggest that the terumah selection must be edible now, not merely that it was edible at some time in the past. From where in the verse is there an indication that all we need for "לו" is that it was edible at one time?

Rabeinu Peretz answers that the verse is coming to exclude the most extreme aspect of grain being edible, that which is most remote to the eating process. Something that was edible is included within the concept of "לו", that which is a food. Even though it is now tamei, this is still a food, although it is currently not allowed to be eaten. Chometz, which was chometz from the time it was still connected to the ground, was removed from consideration as food from the onset. ■

HALACHAH Highlight

Inadvertent Sin

ר"נ בר יצחק אמר בשאר מצות לא מתחייב בהן שאין מתעסק כמתעסק שאם נתכוין להגביה את התלוש וחתך את המחובר שפטור תאמר במעילה שם הושיט ידו לכלי ליוול חפך וסך ידו בשמן של קודש שמעל

R' Nachman son of Yitzchak said: With regards to other mitzvos one is not obligated in them because one who performs an action inadvertently is not like one who performs it with intent. For, if one intends to pick up a detached vegetable and inadvertently cuts one which is attached he is patur. Should we say that in the case of m'eila (forbidden usage of sanctified items) that if one extends his hand to grab a vessel and inadvertently anoints his hand with sanctified oil that he was moal (used holy items without permission)?

Rashi¹ explains that מתעסק (inadvertent) applies when the person had no intent to cut whatsoever (even a permitted item). His only intent was to pick something up. There are those² who infer from here that one who sins inadvertently has technically sinned, however no offering would be obligated (for if such a transgression is not held to be a fully accountable act, why would one be accountable for an inadvertent מעילה, i.e.-unwarranted usage of sanctified items). The opinion of R. Akiva Eiger³ (zt"l) is that an inadvertent sin is called a שוגג (an unintentional sin), however the Torah does not obligate bringing an offering for such a sin. However, there are those⁴ who hold that an inadvertent sin is indeed not a sin at all.

One practical difference⁵ between the two views is with regards to doing teshuvah. One who transgresses Shabbos on the level of שוגג (unintentional sin—for example one who turned on the electricity because he forgot it was Shabbos) would require specific methods of teshuvah⁶ in place of the offering (which he would be obligated to give in the times of the Beis HaMikdash). As opposed to a מתעסק (inadvertent sin) who has no obligation to bring an offering,⁷ and who would not need the aforementioned methods of teshuvah. Nonetheless, the necessity⁸ to do teshuvah is based on this מחלוקת, and it is proper⁹ for a person

REVIEW and Remember

1. In what way is me'ilah more stringent than other prohibitions?
2. What are the two possible sources that restrict a person from separating chometz as terumah?
3. Explain: משקין מיפקד פקידי.
4. Why is there a difference between fruit and bread regarding the concern that one may inadvertently violate the transgression of eating it?

faced with this condition to give charity. ■

1. ותוס' בשבת (ע"ב ב' בד"ה נתכין חלקו על פרש"י. עי"ש
2. כן דייק בשו"ת עמודי אור סימן כ' אות י"ב
3. בשו"ת הגרע"א סימן ח'
4. כן מבואר במקור חיים בסימן תל"א שהגרע"א הביא שם. ובהגהות הגר"ד ביטון על התשובות גרע"א ליקט בזה הרבה, עי"ש. אלא שלמקור"ח נדחק לחלק בני עבירה שיש בה מעשה לשאין בה מעשה. עי"ש
5. והגרע"א שם כתב נפ"מ לשביתת עבדו, עי"ש וקצ"ע מדוע לא כתב נפ"מ לחיוב תשובה
6. כמפורש בברכ"י (של"ד ו') והביאו בכה"ח סימן רס"ה ס"ק טו, וז"ל יתענה בחול שני וחמישי ויתן לצדקה שייעור דמי חטאת ושייעור דמי חטאת היינו עז קטנה בת ח' ימים כמה שוה באותו מקום ואותו זמן עכ"ל (ועי' רמ"א סוף של"ד)
7. עי"ש בכה"ח ס"ק ט"ז שכשאין חייב חטאת א"צ תיקוני תשובה הנ"ל שהם כנגד חטאת ושמ"מ ראוי בצדקה וכדו' עי"ש. ומ"מ לגרע"א הנ"ל שהמתעסק הוא ממש חוטא בשוגג אלא שפטור מקרבן בודאי לכה"פ צריך תשובה
8. כלומר לעשות חרטה קבלה ווידוי
9. עי"ש בכה"ח ס"ק ט"ז ודו"ק ■

Gemara GEM

They quote the halachah in the Beis Midrash

אמר ליה אין—בגזרת עירין בתגמא ומאמר קדישין שאלתא וכן מורין בני מדרשא כוותי

Rav Nachman bar Yitzchok was certain that if the grain became chometz on Pesach itself, after being detached from the ground, it could be designated as terumah and be given to a kohen. In fact,

he was so sure about his response to Rav Huna bar R' Yehoshua that he confirmed his position by reinforcing his confidence with quoting the verse from Daniel (4:14), and by declaring that the students in the Beis Midrash teach the halachah according to his view.

Horowitz, zt"l, notes that this proclamation is unusual in that, after all, the statement of Rav Nachman bar Yitzchok is only accurate according to Rabbi Yosi HaGalili, who holds that ben-

efit may be derived from chometz on Pesach. The halachah does not rule according to this opinion, and it is therefore not an opinion that would have been espoused in the Beis Midrash.

The מלא הרועים points out that perhaps Rav Nachman was only declaring that the halachah follows his opinion in reference to terumah that is tamei, which is not valid if it never had a שעת הכושר, but not in reference to the validity of terumah which is chometz. ■

