

## OVERVIEW of the Daf

### 1) Consecrating a fetus (cont.)

R' Zeira and R' Yirmiyah continue their debate regarding Bar Padda's position that a fetus cannot become independently sanctified.

It is suggested that the disagreement between Bar Padda and R' Yochanan whether a fetus can be independently sanctified is subject to a debate between Tannaim.

This interpretation of the Baraisa is rejected and two alternative explanations of the Baraisa are suggested.

Bar Padda's position is successfully challenged forcing the Gemara to revise its understanding of Bar Padda's position.

A second version of the previous discussion is presented which concludes with a revised understanding of the debate between Bar Padda and R' Yochanan.

### 2) Sanctifying the leg of an animal

The Gemara cites a Baraisa that presents a dispute regarding the consequence of sanctifying the leg of an animal.

Rava explains the rationale behind the opinion of R' Meir and R' Yehudah.

Three Amoraim add a qualification to R' Yehudah's position.

The practical difference between these positions is explained.

The Gemara unsuccessfully challenges the assumption that when one sanctifies a part of the animal necessary to life the entire animal becomes sanctified.

Rava inquires whether the same halacha applies to birds and the question is left unresolved.

Rava inquires about the status of an animal if one sanctified the leg of an animal for its monetary value.

After a failed attempt to resolve this matter the inquiry is left unresolved.

Abaye inquires whether the prohibition against shearing a sacred animal applies if one sanctified a single limb.

Rabbah suggests a resolution but it is rejected.

A second version of Abaye's response to Rabbah is presented.

Abaye inquires whether it is prohibited to work an animal if one declared its hide sacred.

Rabba suggests a resolution but it is rejected.

### 3) Sanctifying a pregnant animal

Abaye inquires about the status of a fetus with respect to the prohibition of slaughtering an unconsecrated animal in the Beis HaMikdash when only the mother was sanctified and then slaughtered in the Beis HaMikdash. ■

## Distinctive INSIGHT

### Can a tereifah survive?

רב חסדא סבר לה כמאן דאמר טרפה אינה חיה. ורבא סבר לה כמאן דאמר טרפה חיה

**T**emurah occurs when a sanctified animal is declared to be exchanged for a non-sanctified animal. This rule only applies when we are dealing with complete, live animals, and not when limbs or pieces of animals are declared to be exchanged for each other. This limitation is true whether the pieces or limbs are those of the sanctified animal, or whether they are parts of a non-sanctified animal upon which we are trying to apply a status of being sanctified. This is the view of Chachamim in the Mishnah on 10a, but R' Yose holds that if the sanctified animal is complete, we may transfer a status of temurah upon pieces of non-sanctified animals. The argument of R' Yose is if one declares that a leg of an animal shall be designated for an offering, we say that the holiness spreads throughout the entire animal. So, too, if temurah is declared upon a limb of an animal, the leg is temurah and that status spreads throughout the entire animal.

A Baraisa teaches about a declaration that a leg of an animal shall be for an olah. R' Yehuda holds that only the leg is an olah. R' Yose holds that the holiness declared upon the leg spreads throughout the animal, and the entire animal is now an olah.

Rava and R' Chisda discuss the opinion of R' Yehuda, and in which case he would admit to R' Meir that declaration of a single limb in which the life of the animal depends would cause sanctity throughout the entire animal. R' Chisda says that "the entire life of the animal" is defined by a limb which causes the animal to be a tereifah if it were to be injured. Rava maintains that the limb we are discussing is one which would cause the animal to be a neveilah if it were missing. The Gemara explains that the source of this dispute is regarding whether a tereifah can live. R' Chisda holds that a tereifah cannot live, while Rava holds that a tereifah can live.

Tosafos notes that the Gemara in Bechoros (3a) discusses the halacha of a bechor which is owned jointly by a Jew and a non-Jew, which is exempt from having to be given to a kohen. If the non-Jew owns even part of the bechor, it is exempt, but the part he owns must be a part which affects its very life. What is that? R' Chisda says a tereifah can live, so the non-Jew must own a part which, if it is missing, would make the animal a neveilah. Rava holds that a tereifa is not viable, so as soon as the non-Jew owns a part of the bechor which, without it, the animal would become a tereifah, it is exempt. Tosafos points out that the views of R' Chisda and Rava are exactly reversed between our sugya and that of Bechoros, but that this is one of the sugyos where the names must be switched. ■

# HALACHAH Highlight

## An insufficient pledge

תמכר לצרכי עולות

*It should be sold for those in need of Olah korbanos*

There was once a woman who pledged a sum of money to be used to purchase a sefer Torah that would be given to the community. Shortly after her pledge she died and it became evident that the amount of money that she had pledged would not even pay for half the cost of a new sefer Torah. Her heirs were uncertain what they should do with the money that she had pledged. Is it preferable to use the money to fund part of a sefer Torah and the deceased woman would be a partner in the writing of a sefer Torah or should they take the money to purchase a shas and other sefarim from which people would learn in accordance with the authorities who maintain that purchasing sefarim nowadays is a fulfillment of the obligation to write a sefer Torah?

Teshuvos Shevet Halevi<sup>1</sup> answered that it is preferable to use the money to help fund the writing of a sefer Torah since a shas and other sefarim are not a person's intent when he refers to a sefer Torah. In contrast, part of a sefer Torah is included in a person's intent when he refers to a sefer Torah. Consequently, it is logical to assume that the women's intent was to pay for part of a sefer Torah rather than an entire sefer Torah. This is especially true since the sefer Torah would still be referred to by her name. Proof to this principle is found in our Gemara. The Gemara discusses the case of one who sanctifies

# REVIEW and Remember

1. What is the disagreement that the Gemara things relates to the dispute between Bar Padda and R' Yochanan?

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2. What is the Gemara's final understanding of Bar Padda's position?

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3. What is the difference between R' Chisda's explanation of R' Yehudah and Rava's explanation?

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4. Is it permitted to shear an animal whose leg was sanctified?

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the foreleg of an animal as an Olah. Rambam<sup>2</sup> rules that the animal should be sold to someone who needs an animal for an Olah and the proceeds that the seller receives are unconsecrated except for the value of the foreleg. This ruling is applied to one who pledged a fixed amount of money to purchase an Olah. The implication is that the person pledged to purchase an Olah but the amount that he pledged was not sufficient to actually pay for the Olah. Therefore, the two people combine their pledged sums towards the purchase of an Olah. Similarly, this woman and another person will combine their pledges to be able to pay for an entire sefer Torah. ■

1. שו"ת שבו הלוי חייג סי' קל"ט.
2. רמב"ם פט"ו מהל' מעשה הקרבנות ה"ב. ■

# STORIES Off the Daf

## About-Face

האומר רגל זו עולה פשטה קדושה בכולה

One of the hardest chinuch matters to deal with is what to do when faced with a student who is in a decline, whose presence in the yeshiva can be harmful to the other bochurim. Sometimes, the only option a rosh yeshiva may feel he has is to ask the student to leave.

When Rav Boruch Ber Lebovitz, zt"l, needed to send a student out of the yeshiva, he literally wept, expressing his love for his wayward student. When a student who had taken a negative path recounted how Rav Boruch Ber had told him he had to leave the yeshiva, he was overcome

with emotion. "It was obvious that he didn't want me to leave, that he would have done anything to allow me to stay. One felt as though he was compelled from on high to expel me, even though this was the furthest thing from his desire. Believe me he was more upset about the matter than I was at the time."

The Beis Yisrael of Gur, zt"l, was known to be very sharp—and to be a leader of similarly sharp chassidim—yet he could also be extremely gentle. When one of his chassidim had a fall, some members of the community wished to banish him. But the rebbe would never allow them to do so as long as the young man continued to pray with them at the shteibel.

He would explain, "In Temurah 11 we find that if a person declares the foot of an animal an olah, the holiness spreads

out to the entire animal. This hints to the fact that even if a person only sanctifies his foot by going to a kosher beis midrash, in the end he will change directions and ascend again in teshuvah. The holiness in his feet will spread out to his entire self."

He would often quote an inspiring vort of Rav Zusia of Anapoli, zt"l, "The verse states, 'כי דור תהפוכות המה'—They are a topsy-turvy generation.' Rav Zusia explained that we never know where a Jew will end up. He is constantly in an upheaval; one day he may be very far, yet the next he can do a complete about-face and become a truly good Jew. Who can delve into the deepest places of the Jewish soul, which is a portion of Godliness from above?"<sup>1</sup> ■

1. פאר ישראל, ח"א, ע' קכ"ד. ■