



OVERVIEW of the Daf

1) Consecrating a female animal for a korban that requires a male animal

A Baraisa presents a disagreement regarding what should be done with a female animal that was consecrated for a korban that requires a male animal.

Rebbi's opinion in the Baraisa is explained.

It is suggested that R' Shimon's position is based on the fact that a female animal can attain physical sanctity of an olah since there is an instance in which a female can be brought as an olah.

This explanation is unsuccessfully challenged.

A Mishnah is cited that presents a disagreement as to what should be done with animals that became sanctified when one sanctified his possessions.

R' Chiya bar Abba questions R' Yehoshua's ruling.

R' Yochanan explains the rationale behind R' Yehoshua's opinion.

This explanation is unsuccessfully challenged.

2) MISHNAH: The Mishnah discusses additional cases of Ashamos that are left to graze. The difference between the positions of R' Elazar and Tanna Kamma is explained.

3) Clarifying the Mishnah

The necessity for the Mishnah to repeat the same disagreement twice is explained.

R' Nachman in the name of Rabbah bar Avuha asserts that the disagreement concerning the offspring of an asham's temurah is limited to after the asham was offered but before the asham was offered all opinions agree that the temurah's offspring should be offered as an asham.

Rava rejects this qualification forcing the Gemara to revise R' Nachman in the name of Rabbah bar Avuha's qualification to the dispute.

A successful challenge to this explanation is presented.

4) Female Asham

R' Avin bar Chiya inquires whether the male offspring of a female designated as an asham can be offered as an olah.

R' Avin bar Kahana answers that the male can be offered as an olah.

This ruling is unsuccessfully challenged.

The Gemara begins another challenge to this ruling. ■

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Distinctive INSIGHT

Temurah does not apply to Parah Adumah

פרת חטאת קדשי בדק הבית הוא וקדשי בדק הבית לא עבדי תמורה

A person consecrated a female animal for an offering which could only be brought from a male. For example, someone designated a female animal for an olah, Pesach, or asham. Tanna Kamma holds that the female obviously cannot be brought as that offering, but the designation is enough for the female to have the name of the offering to the extent that it can be effective in causing temurah. R' Shimon disagrees and says that temurah is only effective if an animal is consecrated to the degree that its body is sanctified (קדושת הגוף), so that it would need to develop a blemish before it would be able to be redeemed. Therefore, a female designated as a Pesach or asham, which can be redeemed without a blemish, cannot effect temurah. However, R' Shimon agrees that a female designated for an olah can effect temurah. Because we find an olah which may be brought from a female, for example from a bird, a female animal also is sanctified enough that she cannot be redeemed unless she first develops a blemish.

Rebbe concludes that he does not agree with R' Shimon in regard to Pesach. Because an animal designated for a Pesach may be brought as a shelamim if it were left over after the festival, this female animal has somewhat of a status of a shelamim, and her body has sanctity and she can effect temurah.

The Gemara pursues the reasoning behind R' Shimon's halacha. If a female for an olah has sanctity because we find a parallel situation with birds, we should say the same thing

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REVIEW and Remember

1. What type of sanctity does the parah adumah have?

2. What is done with animals that one sanctified together with the rest of his property?

3. What is the difference between R' Elazar and Chachamim?

4. According to the Gemara's conclusion, how does R' Nachman explain the dispute in the Mishnah?

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HALACHAH Highlight

Defining a tzibbur

בכהן גדול שהפריש פרה לפרו

If a Kohen Gadol designates a cow for his bull

There is a classic debate in the Poskim whether a tzibbur is a mere collection of individuals or does it represent another entity altogether. Teshuvos ben Poras¹ proves from our Gemara that the tzibbur is a mere collection of individuals. When one sanctifies an animal of the wrong sex for his korban one may make a temurah from it only if that sex could be sanctified by someone else within that same category. Thus if an individual, who is obligated to offer a female goat, sanctifies a male goat (offered by the king) or if the king sanctifies a female goat, when he is obligated to offer a male goat, the sanctity does not take effect so that a temurah could be made since individuals and the king are considered separate categories. However, when the Gemara discusses a kohen who sanctifies a cow rather than a bull to be offered on Yom Kippur or a bull rather than a cow for the parah adumah, the sanctity takes effect and the Gemara does not point out that the parah adumah belongs to the tzibbur whereas the bull on Yom Kippur belongs to the Kohen Gadol exclusively. The reason this difference was not highlighted is that a tzibbur is considered to be no more than a collection of individuals and as such the kohen is considered an owner of the animal in both cases.

Teshuvos Tzafnas Paneach² was asked whether the majority of members of a Beis HaKnesses could protest if a few members are interested in leaving to start their own Beis HaKnesses. He responded that the matter relates to whether a tzibbur is a collection of individuals or whether the tzibbur takes on a character to itself. If a tzibbur is a mere partnership of individuals the majori-

(Insight...continued from page 1)

ty cannot impose its will on the minority since in a partnership decisions are made with the agreement of all the partners. On the other hand if a tzibbur constitutes an entity in and of itself the majority can impose its will on the minority since the majority determines the will of the entity called tzibbur. ■

when a kohen gadol designates a cow for his chattas on Yom Kippur, which can only be brought from a bull. This cow should now have sanctity upon her body, because we find a chattas which is brought from a cow, i.e. the Parah Adumah. The Gemara responds that the reference to the Parah Adumah is not valid, because the sanctity of that cow is only that of bedek habayis, sanctity of the property of the Mikdash, and not that of an offering.

Rashi explains that the Parah Adumah is not sanctified for the Altar as an offering because it is not brought on the Altar, but only on Har HaZeisim. The sanctity of bedek habayis does not effect temurah. Shitta Mikubetzes brings a variation to the text in Rashi, where the explanation is that Parah Adumah is only sanctified as bedek habayis as we find that it may be redeemed even without its having a blemish. This indicates that it has monetary sanctity rather than sanctity of the Altar.

Gri"z clarifies that temurah does not apply to items whose sanctity is only monetary, and temurah does not apply to bedek habayis. These are two concepts, each derived from a different pasuk, and they cannot be learned one from the other. Gri"z elaborates to explain how the text of Rashi and that of Shitta each exclude Parah Adumah from effecting temurah. ■

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1. שו"ת בן פורת סי' ד' הוספה לאות א' עמ' 34.

2. שו"ת צפנת פענח (מהדורת דווינסק ח"ב סי' י"ג אות א'). ■

STORIES Off the Daf

"Gazlan!"

דאין אדם מתכפר בדבר הבא בעבירה

On today's daf we find that one cannot atone with something that comes through sin.

Toward the end of his life, Rabbi Yisrael Salanter, zt"l, spent much of his time in Germany trying to bring estranged Jews back to their heritage. When he was asked why he wasn't spending more time in Eastern Europe he explained. "When a fire is raging it is very difficult to stop it. But when it goes out, leaving destruction in its wake, it is possible to rebuild what was

lost."

One Yom Kippur he spent the fast with his promising student, Rabbi Eliezer Shulevitz, zt"l, in a big shul in Berlin. The day was hot and the huge doors of the shul stood open so that the congregants would at least catch the cooling breeze that wafted through the air.

Before mussaf, Rabbi Shulevitz went out to use the facilities. When he came back the congregation was already in the middle of the Amidah. Of course, he didn't want to interrupt the prayers of the congregants, but he also did not want to miss davening with the minyan. After thinking for a moment he decided to daven in front of the open doors, just inside the shul.

When Rav Yisrael completed his prayer he immediately walked over to Rav Eliezer and whispered one word in his ear that immediately arrested his attention "Gazlan!"

A moment later Rav Yisrael whispered his explanation, "On Yom Kippur, the day we ask for atonement, you want to pray while acting like a thief? The doors are open to give air to the congregation and you stand in the way, blocking its flow?"

Rav Eliezer understood that his rebbe was telling him to move before continuing to daven. He immediately moved inside the shul, and only then continued to daven.¹ ■

1. שאל אביך ויגדך, ח"א, ע' ג' ■