



OVERVIEW of the Daf

1) Sacrificial parts (cont.)

The Gemara concludes its suggestion that Ravina bar Shila's ruling that sacrificial parts of kodoshei kalim that are taken outside before the blood is thrown become invalidated is subject to a debate between Tannaim.

R' Pappa rejects this proof.

R' Pappa's position is unsuccessfully challenged.

2) Clarifying the Mishnah

The Gemara explains the rationale behind the Mishnah's ruling that the sinner's Minchah takes precedence over the voluntary Minchah.

The Gemara inquires which takes precedence, the Sothah's Minchah or a voluntary Minchah.

Two unsuccessful attempts to resolve this matter are recorded.

3) Bird Chattas and Bird Olah

A Baraisa is cited that explains why the bird chattas comes before the bird olah.

Another Baraisa is cited that seems to contradict the previous Baraisa.

Rava resolves this contradiction.

Additional contradictory Baraisos are cited but each one is shown to not be contradictory.

4) Prioritizing

The Gemara inquires about what takes precedence if a bird chattas, an animal olah and a ma'aser are brought at the same time.

Two resolutions are recorded.

5) **MISHNAH:** Another rule of prioritizing is presented followed by a rule regarding the general age and minimal value of an asham and a note about the exception to this rule. The Mishnah teaches about prioritizing the eating of different korbanos and then discusses general matters related to eating korbanos.

6) Frequent and sacred

The Gemara asks whether frequency takes precedence over that which is more sacred or that which is more sacred takes precedence over that which is more frequent. ■

Distinctive INSIGHT

Resolving a dilemma of precedence

איבעיא להו חטאת העוף ועולת העוף ומעשר בהמה, איזו מהן קודם?

The Gemara poses a question regarding the sequence to be followed when we have to bring a chattas of a bird, an olah of an animal and an animal of ma'aser. The issue is that ma'aser of an animal is brought before a chattas of a bird. On the other hand, an olah of an animal should be brought before the ma'aser animal, because an olah is completely burned on the Altar. Finally, the olah animal cannot be brought first, because a chattas must be brought before an olah, even though the chattas is a bird and the olah is an animal, as the Gemara determined on 90a. This situation presents us with an endless loop, where the ma'aser is before the chattas bird, the olah animal is before the ma'aser, and the chattas bird is before the olah animal.

Tosafos presents a similar dilemma which can exist regarding returning a lost object. A person could be confronted with a choice to salvage an item owned by his friend and one of his own, and at the same time have the opportunity to perform the mitzvah of honoring his parent. Which of these mitzvos should be done first? On the one hand, according to R' Yehuda (Kiddushin 32a), one must honor his parents even at his own expense, so the mitzvah of honoring one's parent would take precedence over retrieving his own object which is at risk. Yet, at the same time, the mitzvah of returning a lost object to a fellow Jew takes precedence over honoring a parent (Bava Metzia 32a). Finally, the Gemara (ibid.) teaches that saving one's own property takes precedence over helping to save anyone else's object. This scenario would present what seems to be an irreconcilable dilemma.

Tosafos in Kiddushin (ibid.) resolves this by noting that a person would first save his own property. The halacha of R'

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REVIEW and Remember

1. How does R' Pappa explain the dispute between R' Eliezer and R' Akiva?

2. What is the source that a bird chattas precedes a bird olah?

3. What does the term כמשפטם teach?

4. Why is yesterday's shelamim eaten before today's shelamim?

HALACHAH Highlight

Asher Yatzar and Beracha Achronah, which takes precedence?

תדיר ומקודש איזה מהם קודם

Which takes precedence, that which is more frequent or that which is more sacred?

Someone ate a food that necessitated a בורא נפשות but before reciting that beracha he relieved himself. Before reciting אשר יצר he remembered that he had not yet recited בורא נפשות and the question arose, which should be recited first. Maharshah¹ answered that אשר יצר should be given precedence since it occurs more frequently than בורא נפשות.

Since it is possible for a person to confine his eating to the context of a meal on bread he could go for many days without reciting בורא נפשות as opposed to אשר יצר which occurs daily. Additionally, אשר יצר is recited even if one drop of urine is emitted from the body as opposed to בורא נפשות that has a minimum quantity that must be consumed before one is obligated to recite the beracha. As such, אשר יצר is considered to be a more elevated beracha and is thus given precedence.

Rav Akiva Eiger² cites Maharshah and then asks whether the halacha would be any different if the person was obligated to recite Birkas Hamazon instead of בורא נפשות. Should precedence be given to אשר יצר because it occurs more frequently or perhaps precedence should be given to Birkas Hamazon since it is a Biblical requirement? He then writes that this question seems to be the same question as the question in our Gemara how to prioritize between that

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Yehuda that one has to offer his financial resources to honor a parent only applies where the parent would be serviced by using the child's money in some manner. Here, the father would not be honored just by the son's losing his property. While the time necessary to save his property could have been used to help his father, the son does not have to suffer this loss just in order to be available for his father.

Shitta Mikubetzes cites Rabeinu Peretz who also concludes that the son should begin by saving his property. If the halacha would have the son abandon his own property in order to honor his father, the rule would immediately revert to be that the son would have to return his fellow Jew's object before honoring the father. In essence, the son should save his own object before the combination of the mitzvos of honoring one's father/returning an object of a fellow Jew. ■

which is more frequent and that which is more sanctified. If precedence is given to that which is more frequent one may assume that it would also take precedence to that which is Biblical. On the other hand, if precedence is given to that which is more sacred it follows that something that is Biblical will take precedence over that which is not Biblical even though it is more frequent. He notes that regarding the question of prioritizing that which is more frequent and that which is more sacred Rambam rules³ that one has the option⁴ to choose either one. Kaf HaChaim⁴ gives a number of reasons, some halachic and some practical, why one should first recite אשר יצר. ■

1. שו"ת מהרש"ל סי' צ"ז ומובא במ"ב סי' ז' סק"ב.
2. הגהות רעק"א או"ח סי' ז' אות א'.
3. רמב"ם פ"ט מהל' תמידין ומוספין ה"ב.
4. כף החיים או"ח סי' ז' סק"א. ■

STORIES Off the Daf

The Proper Order

"למקראה..."

The Imrei Emes, zt"l, once spoke of what seemed to be a peculiar custom of his father, the Sfas Emes, zt"l. "Every day, before he put on his tallis, my father would say the parshah of tzitzis. I believe the source for this custom comes from Zevachim 90. The Gemara there explains why the verse regarding the sacrifices of a woman after childbirth mentions the olah before the chattas,

even though they would sacrifice the chattas first. The Gemara explains that this was למקראה —literally, to be in alignment with the verse. Although Rashi explains that this is the proper order to read it in the Torah, the Rehavos Hanahar, zt"l, explains that this is also relevant to the avodah of the kohanim in this sacrifice. 'Before a kohen brought sacrifices, he would read the parshios in the Torah. The Gemara is telling us that the kohen would read the parsha of olah before chattas.' My father apparently wanted to precede his avodah of tzitzis with its attendant par-

shah."¹

Rav Chaim Shaul Kaufman, zt"l, the Rosh Yeshivah of Gateshead, offered a reason for this differentiation. "The Gemara explains that we first offer the chattas and then the olah with a parable of one who sinned against an officer. First he must appease the officer then we can send a gift. But that is only applicable when we offer the sacrifices. When we read the parshios, it is fitting to read olah first since the ultimate purpose is to send a gift."² ■

1. יגדיל תורה, ח"ג, ע' קצ"ד
2. קול תורה, תשרי תשס"ז, ע' מ"ח ■