

OVERVIEW of the Daf

1) The dispute regarding the Mishnah

Rabbah further qualifies the point of dispute between R' Meir and Rabanan.

This qualification is challenged and consequently revised.

2) Chachamim's position

The Gemara explains why each one of the items mentioned by Chachamim indicates dominion.

A Baraisa adds additional items that indicate dominion.

The reason the Mishnah did not mention these objects is explained.

3) R' Shimon ben Gamliel's position

A Beraisa elaborates on the position of R' Shimon ben Gamliel.

R' Ashi asks a related question that is left unresolved.

4) MISHNAH: The Mishnah discusses whether different parts of images are permitted or not.

5) Clarifying the Mishnah

Shmuel rules that fragments of idols are also permitted.

This ruling is unsuccessfully challenged.

The reason certain parts of an image are prohibited is explained.

6) An idol that broke on its own

R' Yochanan and Reish Lakish disagree about the status of an idol that broke on its own.

The reasoning behind each position is explained.

Two unsuccessful challenges to Reish Lakish are presented.

The response to the second challenge is used unsuccessfully to challenge R' Yochanan's position.

7) Removing something from its certain status

The assertion that an uncertainty cannot remove something from its certain status (אין ספק מוציא מידי ודאי) is challenged.

Two resolutions to this challenge are presented.

The Gemara begins a second challenge to the principle that an uncertainty cannot remove something from its certain status. ■

Distinctive INSIGHT

Forms of hands and feet

איתביה המוצר שברי צלמים הרי אלו מותרין

The Gemara teaches that there are two distinct levels of idols or parts of them. One is called **שברי צלמים**, which are broken pieces from idols which we are not sure if they were ever actually worshipped. If these would be prohibited for benefit, it would be based upon the possibility that it was worshipped. There is a second category called **שברי עבודה זרה**, which are broken pieces from idols which we know were worshipped. As idols, these are prohibited from any benefit by the Torah.

The Mishnah began with a ruling that broken pieces of idols are permitted. We can assume that either the non-Jew never worshipped it, and if he did perhaps he broke it intentionally, thus nullifying any idolatrous significance that it might have had. The second case of the Mishnah discusses if we find a form of a hand or foot. This is prohibited from benefit. The reason given is that forms of hands or feet are actually worshipped as they are, and we must suspect that this form is idolatrous.

Shmuel notes that even though the Mishnah rules that broken pieces of **צלמים** are permitted, the halacha is that even broken pieces of **עבודה זרה** itself are also permitted. The reason the Mishnah used an example of **צלמים** was not to say that **עבודה זרה** is worse. Rather, it used the example of **צלמים** in order to introduce the later ruling in the Mishnah, that a form of a hand or foot is prohibited, even if it comes from a **צלם** which we are not sure was worshipped, as long as the hand or foot is found on a pedestal, as the Gemara points out. Therefore, the entire Mishnah is dealing with **צלמים**; broken pieces are permitted, while a form of hand or foot on a pedestal is prohibited.

The Gemara introduces a disagreement among Amoraim. If an idol of **עבודה זרה** breaks on its own, R' Yochanan

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REVIEW and Remember

1. How does a sphere indicate dominion?

2. Why does the Mishnah discuss images rather than idols?

3. What is the point of dispute between R' Yochanan and Reish Lakish?

4. Explain **אין ספק מוציא מידי ודאי**.

HALACHAH Highlight

The reliability of a chaver

חזקה על חבר שאינו מוציא דבר שאינו מתוקן מתחת ידו

There is a presumption regarding a chaver that he does not release anything from his hand that is unfit

The Gemara establishes the presumption that a *chaver* does not release anything from his hand that is unfit. Poskim discuss whether this presumption may be utilized even for matters that are Biblical. Chacham Tzvi¹ cited an incident in which a person was supposed to make an *על המחיה* and a *בורא נפשות*. He got distracted momentarily and could not recall whether he had made the beracha of *בורא נפשות* but was certain that he did not make the *על המחיה*. An additional factor was that whenever he was obligated to make both berachos he was particular to always make the *על המחיה* before making a *בורא נפשות*. He was not certain how to proceed in this situation.

Chacham Tzvi wrote that despite the fact that generally we follow the principle *ספק ברכות להקל* – when there is a doubt about making a beracha we adopt a lenient approach and do not make a beracha, in this instance he should recite both berachos. The reason is that his practice of making *על המחיה* before *בורא נפשות* tells us that if he is certain he did not recite *על המחיה* he could not have recited *בורא נפשות*. Since we have the presumption that a *chaver* would not do something that is unfit, therefore he would not have recited *בורא נפשות* before *על המחיה*. He explains that if this presumption is Biblical it could certainly be used to resolve another Biblical matter of doubt, i.e. whether to make another beracha and risk making a beracha in vain. Even if the presumption is only Rabbinic, the

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rules that it is still prohibited, because the idolater did not nullify it. Reish Lakish rules that it is permitted, because the idolater obviously will abandon this idol which cannot even take care of itself. R' Yochanan cites the Mishnah which rules that fragments of an idol are permitted. This suggests that only fragments from *צלמים* are allowed, but fragments of *עבודה זרה* would be prohibited, which shows that the opinion of Reish Lakish is difficult.

Before the Gemara presents its response, we have to understand that even R' Yochanan holds that fragments of *צלמים* are permitted, based upon the double doubt whether the idolater ever worshipped it, and perhaps he nullified it. Why, then, according to R' Yochanan himself are form of hands and feet of *צלמים* prohibited? Sefer Imrei Tzvi answers that R' Yochanan would say that the case of the hand and foot is speaking about pieces from *עבודה זרה*. Reish Lakish, however, who holds that pieces are always permitted, cannot give this answer. ■

halacha would still be that he should make both berachos since the majority of Poskim maintain that it is only Rabbini-cally prohibited to make a beracha in vain.

Furthermore, this presumption could also be used in the opposite direction. If this person would recall with certainty that he recited *בורא נפשות* but could not recall whether he recited *על המחיה* the presumption that he would not do something that is improper tells us that if he already made *על המחיה* he must have previously recited *בורא נפשות*. Consequently, even though he cannot recall whether he made an *על המחיה* he should not recite the beracha. ■

1. שו"ת חכם צבי הנוספות סי' ט' אות ט'. ■

STORIES Off the Daf

The Place We Have Not Conquered

"מצא תבנית יד..."

Today's daf discuss the halachos of one who finds various idolatrous objects.

Rav Yaakov Yerucham Werner once rented a fully furnished apartment from a non-Jew for several weeks. To his dismay, he found that there was a cross hanging on the wall of the apartment. He took the obvious step of removing this symbol from the walls of his temporary home.

When it was time to return the apartment, he wondered whether it was permitted to replace the image on the wall. When he consulted with Rav Wosner, ז"ל, on this matter, he ruled that he could replace the image. "Since you have no choice, this is permitted. You are in *chutz l'aretz* where we are not commanded to destroy idolatrous images."

Rav Werner explained, "I understood him to mean that since the Vilna Gaon in *Shulchan Aruch* rules that we are not required to uproot idolatry in *chutz l'aretz* except in a place that we have conquered¹, it is as if we cannot destroy the idolatry since doing so will

ignite enmity of the non-Jews against us. It follows that it is permitted to replace the cross.

"And as far as the problem of fashioning an idolatrous image by replacing it, this is not a problem since it is already completed. I merely replaced it on the wall."

He concluded, "Even so, it is not enough to take the cross off the wall in a rented space. One must also remove it from the house completely since a Jew may not possess idols in even a rented home!"² ■

1. ביאור הגר"א, יו"ד, סי' קמ"י, סי' ק"ב
2. סדר יעקב, ח"ב, ע' תנ"ט, וח"א, ע' צ"א

