

OVERVIEW of the Daf

1) Offspring

R' Huna defends his position that only two generations are exempt from the bechor law.

An unsuccessful challenge to R' Yehudah's position that three generations are exempt from the bechor law is presented.

According to a second version this last unsuccessful challenge was directed towards R' Huna.

2) Mutant offspring

R' Oshaya quoted a Baraisa that presents a dispute between R' Meir and Chachamim concerning a mutant offspring.

R' Hoshaya asked Rabba to present his question about this Baraisa to R' Huna.

R' Huna explains the intent of the Baraisa.

This explanation is successfully challenged and an alternative explanation of the Baraisa is presented.

Two additional explanations of the Baraisa are recorded.

R' Yochanan asserts that R' Meir would agree that the he-goat offered on Rosh Chodesh must be the offspring of a she-goat.

R' Yochanan's source for this ruling is unsuccessfully challenged.

Three rulings related to the cited dispute are presented.

R' Ashi applies these same principles to the qualification for wine to be fit to be used on the altar.

This ruling is unsuccessfully challenged.

3) MISHNAH: The Gemara begins with a discussion related to an animal that gives birth to two offspring simultaneously. R' Tarfon and R' Akiva disagree about Chachamim's position. The Mishnah discusses the lamb kept by the owner and the halacha that applies if one of the animals dies.

4) Being exact

D'vei R' Yannai inquires whether according to Rabanan people can be exact.

Four unsuccessful attempts to resolve this matter are recorded. ■

Today's Daf Digest is dedicated
By Mr. and Mrs. George Klein
In loving memory of their sister
מרת רבקה בת ר' אלימלך דב, ע"ה

Distinctive INSIGHT

Precise and accurate measurements made by man

תא שמע ממדות כלים ממדת מזבח, שאני התם דרחמנא אמר עביד ובכל היכי דמצית למיעבד ניוחא ליה

The students in the Beis Midrash of R' Yannai posed a question according to the opinion of Rabbanan whether it is possible for a measurement made by a person to be absolutely precise. The Gemara cited the Mishnah in Middos (3:1) that says that a red line was drawn on the side of the Altar to separate and identify the top and bottom halves of its wall. This assured that the blood that had to be sprinkled on either the upper or lower levels of the Altar was sprinkled in the proper place. We see from this that the placement of the line, which was part of the construction of man, was done accurately and precisely, and that the splashing of the blood of the respective offerings was trusted to be done correctly. The Gemara refutes this proof, however, and says that the line might have been drawn with a wide band and not a thin line. This enabled the upper and lower levels of the Altar to be identified with a larger, imprecise divider, rather than one that would have been impossible to be precise.

The Gemara then proves that man can be precise from the construction of the utensils and the Altar, which have precise measurements in the Torah, and these measurements were achieved when built by man. The Gemara responds that anything that has a specific measurement such as an amah or two amos can be measured and fashioned according to the abilities of the builder. This is adequate even if the precision of the builder is not exact, and in an absolute sense the measurement may be a bit off. Nevertheless, the product or amount as measured is considered a complete fulfillment of the Torah's intent. The Torah only expects a person to do

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REVIEW and Remember

1. What is the point of dispute between R' Meir and Chachamim?
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2. What are the prerequisites for the he-goat offered on Rosh Chodesh?
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3. Explain the principle: אי אפשר לצמצם.
.....
4. Why was the red line on the altar wider than it needed to be?
.....

HALACHAH Highlight

A majority that is based on nature

בשעיר של ראש חדש דבעינן בן שעירה

Regarding the he-goat of Rosh Chodesh that we need the offspring of a she-goat

Shulchan Aruch¹ rules that it is prohibited to interrupt while one is saying the Amidah. Even if a snake is wrapped around one's heel he may not interrupt his davening. If it is a scorpion one should interrupt since scorpions are presumed to be dangerous. The source for this ruling is the Gemara Berachos (30b, 33a) and Rambam² who explains that one may not interrupt for a snake since most times they will not bite but one should interrupt for any creature that commonly bites, e.g. a scorpion or a viper, since they pose a danger.

Rashash³ challenges this ruling from the well-known principle that when it comes to matters that relate to one's life we do not make decisions based on a majority - **אין הולכים בפיקוח** - **נפשות אחר הרוב**. As such, what difference does it make that most times snakes do not bite, if there are times that snakes do bite one should interrupt since we do not rely on a majority for matters of life and death. Even Ya'akov⁴ contends that there are two different categories of majority. One category of majority is one that involves logic, e.g. the status of a piece of meat found on the street depends upon whether the majority of butcher shops sell kosher meat or non-kosher meat. The matter remains in doubt but halacha allows one to follow the majority. The second category of majority is one that is based on nature. An example of this type of majority is found in our Gemara. Although it is necessary for the he-goat offered as a korban on Rosh Chodesh to be born from a she-goat we offer

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whatever he can, and a margin of error for human limitations is completely within the Torah's expectations.

The Gri"z notes that the Gemara could have apparently given this same answer earlier, in response to the question from the line along the wall of the Altar. Instead of saying that they drew a wider band, the Gemara could have said that even though we cannot be precise, we must do our best and that is adequate.

Nevertheless, Gri"z explains that the Gemara only uses the answer that we can only do our best when we are commanded to built something according to a specific measurement. However, the line along the wall of the Altar was different, because it indicated where the blood of the offerings was to be splashed. Our doing our best in placing the line in the center is not good enough if placing it too high or too low results in blood of the offerings to be placed in the wrong location. Therefore, the Gemara had to say that they used a wider band to assure that the midpoint of the Altar was covered by the line. ■

he-goats as a korban without definitively confirming the pedigree of the goat since we rely on the fact that the majority of times species mate with their own species and the matter is not even considered a doubt. Accordingly, since it is a fact of nature that most times a snake does not bite, the minority of cases in which a snake does bite does not generate a doubt; therefore, it is prohibited to interrupt the Amidah when a snake approaches. ■

1. שוייע אוי"ח סי' קי"ד סעי' ג'.
2. רמב"ם פיהמ"ש ברכות פ"ה מ"א.
3. רש"י לגמ' ברכות ל"ג.
4. אבן יעקב שו"ת הדרת מרדכי סי' ח'.

STORIES Off the Daf

The Techeiles

הכל מודים שצמרו פסול לתכלת

On today's daf we find that wool from a sheep that was born to a goat is invalid for techeiles.

When someone asked Rav Yosef Shalom Eliyashiv, zt"l, why we are not obligated to wear the new techeiles since this is presumably a safek d'oraisa, the gadol immediately rejected the very premise. "There is no such thing as a safek d'oraisa regarding something for

which we have no mesorah. Just as the Radziner held that techeiles is one substance and now others believe that a different compound is the genuine article, there could be a third or even more attempts to discover the techeiles. How can you say that one is obligated to put on one or the other if there is no way to really know which is the right one?"¹

When Rav Sternbuch, shlit"a, was asked about taking on the Radziner's techeiles he expressed actual opposition. "Although there is no way to know if it is the actual substance, we need not take it on for this reason. There is surely no application here of safek d'oraisa l'chum-

rah, as the Brisker Rav, zt"l, replied to a questioner. Safek l'chumrah is only if you will surely discharge your obligation with this action, not if you may be accomplishing nothing by your deed."

He added, "There is also the possibility that one will think that he is certainly fulfilling the mitzvah of techeiles by using it, thereby violating the Torah prohibition of **בל תוסיף** unless it is truly the techeiles. It doesn't seem likely that God would reveal techeiles specifically in our generation when there is such a preponderance of darkness!"² ■

1. קובץ תשובות, ח"א
2. תשובות והנהגות, ח"א, סי' כ"ו

