

OVERVIEW of the Daf

2) A vessel combines its contents (cont.)

The Gemara reconciles R' Chanin's source that Biblically a vessel combines its contents with the Mishnah that indicates that it is a Rabbinic enactment.

It is noted that R' Chanin's assertion that the law that a vessel combines its contents is Biblical is contradicted by R' Chiya bar Abba who maintains that it is Rabbinic in origin.

2) A revi'i for kodesh is pasul

A Baraisa cites R' Yosi's statement regarding the source that a revi'i is pasul for kodesh.

A point in the Baraisa is clarified.

3) Tumah of hands

R' Shizbi qualifies the Mishnah's ruling that concerning kodesh if one hand becomes tamei both hands must be immersed by limiting it to a case where the two hands are in contact with one another.

Abaye successfully demonstrates that the Mishnah's ruling applies in all circumstances.

The Gemara reports that Reish Lakish and R' Yochanan also disputed this issue but Reish Lakish retracted his position on the matter and concurred with R' Yochanan that the Mishnah's ruling applies under all conditions.

It is noted that the capacity of the second hand (the one that did not touch the source of tumah) to make kodesh pasul but not tamei is disputed by Tannaim in a Mishnah.

The first Mishnah cited to demonstrate that the issue is debated by Tannaim is rejected and an alternative source is cited.

4) Eating dry foods with contaminated hands

R' Chanina ben Antigonus, cited in a Baraisa, explains the case where the distinction between kodesh and Terumah concerning eating dry foods with contaminated hands will be found.

5) Onen and mechusar kippurim

The Gemara explains why immersion is necessary in these two cases before eating kodesh.

6) MISHNAH: The Mishnah enumerates two cases where terumah is treated more stringently than kodesh. Additionally, the Mishnah discusses the use of wine or oil brought by an עַם הָאָרֶץ. ■

Today's Daf Digest is dedicated
In memory of David ben Mendel HaKohen

HALACHAH Highlight

Trusting an עַם הָאָרֶץ regarding קֹדֶשׁ

חומר בתרומה שביהודה נאמנין על טהרת יין ושמן כל ימות השנה, ובשעת הגיתות והבדים אף על התרומה

The Mishnah begins to list cases where Teruma is treated in a more stringent manner than we treat קֹדֶשׁ. The first example is in regard to the trustworthiness of an עַם הָאָרֶץ. We trust the statement of an עַם הָאָרֶץ in regards to the purity status of קֹדֶשׁ all year long, but we only trust him to verify the pure status of Teruma during the production season for oil and wine.

It is noteworthy that Rashi explains that the case of קֹדֶשׁ in the Mishnah is where the עַם הָאָרֶץ consecrated the wine or oil for the altar, and he did so during the season of pressing the oil and wine. Why does Rashi say that the consecration had to be during the production season? Why would the עַם הָאָרֶץ not be trusted if he consecrated this wine any other time of the year?

Tosafos responds to this inquiry into the words of Rashi in two ways. Rabeinu Elchanan affirms Rashi's words, and he explains that if the עַם הָאָרֶץ would take wine or oil to consecrate it at any other time of the year other than the production season, he would be handling chullin. This chullin would automatically be rendered impure due to his handling it, and the fact that he consecrates it would not remove this impurity.

Alternatively, Tosafos suggests that the Mishnah could be dealing with a case where we know that the עַם הָאָרֶץ set aside this wine or oil for קֹדֶשׁ to be used upon the altar. He set it aside during the production season, and he kept

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REVIEW and Remember

1. How did R' Yosi demonstrate that kodesh can become a revi'i?
2. Does a tamei dry hand make the second hand tamei?
3. Does one hand make the second hand tamei or pasul?
4. What is the reason an onen must immerse before eating kodesh?

Distinctive INSIGHT

The sanctity of the extra height of the parchment of a Sefer Torah

דאורייתא יש לו תוך מצרף אין לו תוך אינו מצרף ואתו רבנן ותיקנו דאע"ג דאין לו תוך מצרף

Biblically, if a vessel has a receptacle it combines its contents and if does not have a receptacle it does not combine its contents and the Rabbis decreed that even without a receptacle it combines its contents

A Torah scholar once commissioned a scribe to write a Sefer Torah and they agreed that the height of the parchment should be seventeen fingerbreadths. At the beginning of the project the scholar sent parchment seventeen fingerbreadths tall but at some point in the middle of the project the scholar could no longer obtain parchment that size and began to send parchment that was eighteen fingerbreadths tall. The scholar expected that the scribe would cut off the additional height before using the parchment but the scribe merely centered the taller parchment with the old parchment so that it extended above and below the smaller parchment. When the scholar realized what happened he was uncertain whether it would be permitted to cut off the unnecessary parchment or perhaps since it was incorporated into the Sefer Torah it may not be removed and lowered from its present state of sanctity.

The Masos Binyomin¹ states that only the parchment necessary for the Sefer Torah is invested with sanctity, but parch-

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it protected from impurity as the year progressed, until he finally consecrated it. Trusting him based upon the concept of אימת הקדש can be extended to apply to this chullin commodity because he had planned on using it for the altar. ■

ment that is not needed does not become invested with sanctity. The Shvus Yaakov² refutes the proofs of Masos Binyomin and rules that the Sefer Torah invests sanctity even to the additional parchment since it is attached to the needed portion.

Teshuvos Harei Besamim³ cites our Gemara in his analysis of this issue. According to the conclusion of our Gemara a vessel combines its contents but a distinction is made whether the contents need the vessel or not. If the contents need the vessel they combine even Biblically, but if the contents do not need the vessel they combine only Rabbinically. Similarly, the portion of the parchment needed for the Sefer Torah becomes invested with Biblical sanctity but the portion of the parchment that is not necessary for the Sefer Torah is invested only with Rabbinic sanctity. Therefore, concludes Teshuvos Harei Besamim, since the additional portion only has Rabbinic sanctity, a stipulation would be effective to prevent it from acquiring sanctity. The common practice of scribes to cut off additional pieces of parchment is equivalent to a stipulation, and the additional parchment may be removed. ■

1. שו"ת משאת בנימין סי' קי.
2. שו"ת שבות יעקב ח"ג סי' פ"ו.
3. שו"ת הרי בשמים ח"ה סי' ל'. ■

STORIES Off the Daf

The Tefillin Straps

...דתנן כל הפוסל בתרומה מטמא דינים...."

In the first Tosafos on עמוד ב', the opinion of Rav Pernach (Shabbos 14) is brought that anyone who holds a Torah scroll with his bare hands loses the merit of the mitzvah that he was doing by handling the Torah ("נקבר ערום," Hashem yishmor). However, Tosafos concludes that this does not apply to one who touches the straps of tefillin.

Someone once asked Rabbi Akiva Eiger, ז"ל, "Why is it permitted to

touch the straps of tefillin? Why shouldn't we be as careful as we are with a sefer Torah?"

Rabbi Akiva Eiger explained, "The difference between tefillin straps and a sefer Torah is that with tefillin, the mitzvah is to put them on our hand and head, and we cannot possibly put them on without touching the straps."

The Chazon Ish, ז"ל, was very puzzled by this statement of Rabbi Akiva Eiger. He asked, "Why can't one be careful? Is it not possible to put them on with gloves? If one will claim that this is an unnecessary burden, then why do we find that Nevi'im and Kesuvim are prohibited even if they have no wooden עץ חיים' by which they may more easily be

grasped? This is certainly a challenge! Tosafos in Shabbos 14a states clearly that the prohibition of Rav Pirnach is also in reference to all כתבי הקדש. Tefillin would seem to also be prohibited according to this, since it is also in the category of כתבי הקדש. Yet Tosafos in Chagiga 24b states that this does not apply to touching tefillin straps.

The Chazon Ish concluded, "The reason why people are not careful to refrain from touching the straps of tefillin must be that we hold that Rav Pirnach's statement only applies to a sefer Torah. This would be like Tosafos in Chagiga 24 and the Rash in Yadayim, but unlike Tosafos in Shabbos." ■

