

OVERVIEW of the Daf

1) **MISHNAH:** The Mishnah teaches which disqualifications can be compensated by the presence of the tzitz.

2) The tzitz and tum'ah

A Baraisa elaborates on the source that the tzitz renders acceptable a korban that became tamei.

R' Zeira unsuccessfully challenges the exposition of the Baraisa.

R' Illa unsuccessfully challenges the exposition of the Baraisa.

R' Sima the son of R' Idi unsuccessfully challenges the exposition of this Baraisa.

Another Baraisa related to the tzitz is recorded.

A contradictory Baraisa is noted.

R' Yosef reconciles the contradiction by distinguishing between the positions of R' Yosi and the position of Rabanan.

This resolution is rejected so the Gemara reverses the names recorded in the Baraisa.

R' Sheishes proves from a Baraisa that it is incorrect to reverse the names in the Baraisa.

R' Chisda offers another resolution to the original contradiction between Baraisos.

This resolution is unsuccessfully challenged.

Ravina offers an alternative resolution.

R' Shila suggests another resolution.

This resolution is unsuccessfully challenged. ■

REVIEW and Remember

1. For what disqualification does the tzitz effect acceptance?

2. How do we know that the tzitz does not effect acceptance for a blemished animal?

3. What is the point of dispute between R' Yosi and R' Eliezer?

4. How does Ravina reconcile the contradiction between the two Baraisos?

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צבי מאיר בן יהודה
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Distinctive INSIGHT

The forgiving power of the tzitz

הא אינו נושא אלא עון טומאה שהותרה בציבור

The Baraisa begins with introducing the verse from which we derive the forgiving powers of the tzitz. The verse (Shemos 28:38) informs us that the tzitz shall be worn on the forehead of the kohen, and through it “the kohen bears the burden of the sin of the holy.” The Baraisa analyzes this verse to determine which sin is referred to, and which condition is solved with the Kohen Gadol’s wearing the tzitz. The Baraisa quickly dismisses the sin of where an offering was brought with intent beyond the allowed location, and the sin of nosar, where the offering was actually left over beyond its time limit. In both of these instances the verses (Vayikra 7:18 and 19:7) clearly state that no forgiveness is to be given. Rather, the tzitz has the function to alleviate the sin of impurity of the Mikdash, which is a condition which is dismissed when it affects a communal offering.

We see that the Gemara is only willing to say that the tzitz brings atonement for a condition which is treated leniently in another area, but a situation which has no dispensation in other areas cannot be forgiven by the tzitz. Tosafos notes that had it not been for the verses cited, the Gemara would have considered the power of the tzitz to be for the case of piggul and nosar. Tosafos asks, though, where do we find that piggul and intent for nosar are treated leniently?

Rabeinu Tam answers that piggul, which here refers to intent outside of the offering’s boundaries, is not a factor in the case of bamah, where an offering was brought when private altars were permitted. The case of nosar itself does not have any circumstance where it does not apply, and the Gemara did not seriously consider that the tzitz would apply to the case of nosar, but the case of nosar was mentioned only in conjunction with piggul. Alternatively, Tosafos suggest that the law of nosar is suspended when a limb of the offering is already on the top of the Altar, according to the opinion that nosar does not apply there.

Tosafos also answers that it may be that piggul and nosar do not have any leniencies, but the Gemara still felt that the tzitz might atone for these cases because we find that the Torah (Vayikra 7:18) refers to them as “the iniquities – עון – of the holy.” This is the same word used when the Torah describes the power of the tzitz in Shemos

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HALACHAH Highlight

Doing chalitzah on the left leg

אימא עון שמאל

Perhaps it refers to the sin of the use of the left hand

There was once a woman whose husband died without children. Her deceased husband had only one brother, the yavam, and the bottom part of his right leg had been amputated from above the knee. The question was whether it would be possible for them to do chalitzah or not. Shulchan Aruch¹ records two opinions regarding the validity of a chalitzah that is done on a man whose leg was partially amputated. According to one opinion if part of the leg was amputated chalitzah may not be performed whereas according to the second opinion as long as enough of the leg is intact so that one could put a shoe on the part that remains the chalitzah is valid. Since Shulchan Aruch mentions two opinions and the issue is Biblical one cannot simply adopt the lenient position. Additionally, Shulchan Aruch² rules that chalitzah may not be done with the left foot, which seemingly precludes the option of chalitzah. The yavam was already married and even if yibbum was done they would not remain married and as such it was, at the very least, not an appealing option. This difficult circumstance was sent to the author of Teshuvos Divrei Yayziv for guidance.

One of the points that Divrei Yatziv³ addresses is the opinion of Ginas Veradim who asserts that it is only Rabbinically prohibited for chalitzah to be done with the left

28:38.

Shitta Mikubetzes explains that the Gemara considers piggul to be the case where the power of the tzitz applies because intent of beyond the offering's time with respect to a chattas and today is for them to be eaten beyond one day and that night. This, however, is permitted in the case of a shelamim, which is eaten for two days. Also, kodshei kodoshim may be eaten only in the courtyard, but this is permitted for kodoshim kalim, which may be eaten throughout Yerushalayim, beyond the courtyard. ■

foot. As such perhaps in this instance it would be acceptable to rely upon the Biblical law that chalitzah may be done with the left foot. Divrei Yatziv rejected outright the suggestion that the disqualification of doing chalitzah with the left foot is only Rabbinic. The suggestion comes from Rashi's comment to our Gemara that perhaps the tzitz elevates the disqualification of the use of the left hand since the disqualification of the left hand that is derived from metzora is only l'chatchila. Accordingly, since the requirement for the right foot for chalitzah is also derived from metzora it must also be a l'chatchila requirement but בדיעבד it should be acceptable. The problem with this is that Rashi is commenting on the Gemara's thought that the tzitz could elevate the disqualification of using the left hand but since this thought is ultimately rejected it does not have any weight practically in halacha. ■

1. שו"ע אה"ע סי' קס"ט סעי' ל"ה.

2. שו"ע שם סעי' כ"ב.

3. שו"ת דברי יציב אה"ע סי' קי"ד. ■

STORIES Off the Daf

The Wayward Jew's Gift

"ובעובדי כוכבים..."

In Bava Basra we find that we do not accept tzedakah from idolaters. Rashi explains that it is only when the merit of the charity of the idolaters ends that we will be redeemed.¹

Yet as we see on today's amud, we will accept nedarim and nedavos from an idolater. When the Hagahos Ashrei asked his rebbi, Rav Avraham, why one was accepted but not the other, Rebbe Avraham explained. "Tzedakah atones,

so we are not permitted to accept this from a non-Jew. Nedarim and nedavos do not atone and are therefore not a problem."²

A certain woman acted like an idolatress in every way. Although she had completely rejected her upbringing and her people, she still decided to donate a beautiful cover for the sefer Torah to the shul. Of course this was very kind of her, but the people did not know if accepting this was permitted. After all, wasn't she considered to be a non-Jew halachically? And wasn't it prohibited to accept charity from an idolater?

When this question was brought to the Rashbash, zt"l, he permitted using

her donation. "The only halachic problem here is accepting a donation from an apostate who has the halachah of a non-Jew as you wrote. Of course we should not accept the tzedakah, since we do not accept tzedakah from an idolater. Yet my rebbi, the Rashbatz, zt"l, permitted accepting such a gift. Since a refusal will breed hatred and endanger the community, we are permitted to accept this despite the inappropriate source."³ ■

1. בבא בתרא, דף י" ע"ב

2. הגהות אשרי, פ"ק דבי"ב, דף י" ע"ב

3. שו"ת הרשב"ש, סי' קמ"ג ■

