

## OVERVIEW of the Daf

### 1) The Todah loaves (cont.)

The Baraisa's exposition of the word תהינה is defended.  
Another exposition of the Baraisa is challenged.

2) **MISHNAH:** The Mishnah discusses the offering of the Miluim and the korbanos brought by a Nazir.

### 3) The Milluim korban

R' Chisda in the name of R' Chama bar Gurya suggests a source that included in the Milluim korban was רבוכה.

R' Avya challenges this source and an alternative source is suggested.

### 4) The Kohen Gadol's initiation korban

R' Chisda and Mar bar R' Ashi disagree how many tenths-of-an eiphah revucha menachos the Kohen Gadol offers on the day of his initiation.

The Gemara explains that they do not, in fact, disagree with one another.

### 5) Nazir's offering

A Baraisa identifies the sources regarding the Nazir's mincha.  
The mechanics of the exposition are identified.

An alternative explanation is recorded.

6) **MISHNAH:** The Mishnah presents two scenarios in which the loaves of a Todah do not become sanctified.

### 7) "Outside the wall"

R' Yochanan and Reish Lakish disagree about the meaning of the term in the Mishnah "outside the wall."

The Gemara questions the necessity for this dispute when they disputed this matter in another context.

The necessity for this second presentation of the dispute is explained.

A Baraisa is cited that supports R' Yochanan's position.

### 8) Bread that crusts

A Baraisa is cited that identifies the source that the Todah loaves must have crusted to become sanctified upon the slaughtering of the animal.

A Baraisa presents two matzah-related halachos.

After explaining the halacha of a matzah that is partially baked Rava declares that the same halacha applies to the Todah.

The novelty of this teaching is explained.

### 9) Slaughtering a Todah with eighty loaves

Chizkiyah and R' Yochanan disagree about the consequence of one who slaughters a Todah with eighty loaves.

R' Zeira clarifies the dispute.

Abaye offers his own explanation of the dispute.

Two versions of R' Pappa's version of the dispute are presented.

10) **MISHNAH:** The Mishnah discusses when the loaves of a Todah become sanctified even though the animal is unfit and when the loaves are not sanctified.

### 11) The author of the Mishnah

The Gemara asserts that the Mishnah follows the position of R' Meir and cites a Baraisa that presents his position. ■

## Distinctive INSIGHT

### Consecrating forty out of eighty loaves

אמר רבי זירא הכל מודים היכא דאמר ליקדשו ארבעים מתוך שמונים

The Mishnah (77a) teaches that a todah offering was accompanied by forty loaves. Our Gemara presents a situation where the animal for the todah was slaughtered using eighty loaves instead of just forty. Chizkiya rules that only forty of the eighty loaves become sanctified. Rashi explains that this means that all eighty loaves would have to be eaten in a sanctified state, and within the time limit of that day and the following night, because it would be impossible to determine which forty of the eighty are the genuine loaves of the todah. R' Yochanan contends that when eighty loaves are used for a todah, we do not say that forty of them are sanctified. In other words, none of them are sanctified.

R' Zeira clarifies that Chizkiya and R' Yochanan both agree that if the owner of the todah offering clearly specifies that only forty of the eighty loaves are sanctified, his statement is unambiguous, and even R' Yochanan agrees that forty of the eighty are sanctified. According to Rashi's explanation, this means that we interpret the owner's intent to be that only forty are actually consecrated, but the other forty are meant as a replacement in case anything should happen to the original forty. Chazon Ish (32:11) explains that this interpretation can only be valid regarding replacement of any loaves which might be lost or ruined until the moment the two sheep are slaughtered, because that is the moment the loaves become consecrated. After that moment, if any of the loaves become ruined it is not possible to restore those which are consecrated with others just by replacing them.

The disagreement between R' Zeira and Chizkiya is only where the owner said that he consecrates eighty loaves, and not where he says forty out of the eighty. Chizkiya under-

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## REVIEW and Remember

1. What kinds of loaves were offered by a nazir?

2. What special korban did the Kohen Gadol offer on the day of his initiation?

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

4. How does Abaye explain the dispute between Chizkiyah and R' Yochanan?

# HALACHAH Highlight

## The existence of a partnership in halacha

השוחרט את הפסח על החמץ עובר בלא תעשה

Someone who slaughters the Pesach while in possession of chometz violates a Torah prohibition

The Gemara presents a disagreement between Chachamim and R' Yehudah regarding one who slaughters the korban Pesach while he has chometz in his home. According to Chachamim this prohibition is unique to the Korban Pesach whereas according to R' Yehudah the prohibition is violated even with regards to the afternoon tamid of the 14th of Nisan. Tosafos<sup>1</sup> writes that even though regarding the korban Pesach if even one of the partners has possession of chometz the prohibition is violated, when it come to the Tamid the prohibition is not violated if a single member of the nation retained chometz in his possession. Teshuvos Zera Avrohom<sup>2</sup> suggests that the rationale of Tosafos revolves around the fact that the Tamid is a communal korban and as such the individual's share is removed by the communal ownership to such a degree that he is no longer considered the owner of the animal. For that reason if an individual retains ownership of chometz it has no effect on the Tamid since it is as if he is not the owner of the animal.

Teshuvos Minchas Yitzchok<sup>3</sup> saw this analysis as the halachic basis for the existence of a corporation within halacha. The same difference that distinguishes between partners (שותפים) and a community (ציבור) is the difference that distinguishes between partners and a corporation. In other words, a corporation is not a collection of individuals; rather it

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stands that this automatically refers to forty out of the eighty, as a replacement arrangement if needed, and R' Yochanan says that this statement refers to the owner's willingness to bring one large offering of eighty loaves, in which case none of them are consecrated, because an offering of eighty loaves does not exist.

Tosafos notes that where the owner said that he is consecrating "forty out of eighty," even R' Yochanan agrees that forty out of the eighty are holy. Yet, R' Yochanan (Gittin 25a) holds that we do not use the concept of "bereira," and it is halachically not possible to determine which forty out of the eighty are the ones which are consecrated. Tosafos answers that, in fact, we will not have to determine which are the holy ones. Practically, we would select eleven loaves out of each of the four sets of twenty loaves, which assures that at least one is from the holy ones, and these eleven would be given to the kohen. ■

is an entity in and of itself. Minchas Aharon<sup>4</sup> commented that although our Gemara demonstrates the existence of a mitzvah that could be directed towards the community rather than an individual, nevertheless, when it comes to monetary matters we do not find precedent for such a matter. In other words, there is no source in halacha that the community can own property. Therefore, when it comes to monetary matters halacha will see a corporation no differently than a partnership. ■

1. תוס' ד"ה או לאחד.
2. שו"ת זרע אברהם סי' ד' אות כ"א.
3. שו"ת מנחת יצחק ח"ג סי' א'.
4. מנחת אהרן מחיית עמלק עמוד ק"ו. ■

# STORIES Off the Daf

## Consecrating the Bread

"לא קדש הלחם..."

On today's daf we find that if the bread of the todah is not consecrated, it is invalid. The Meorah Shel Torah applies this statement to avodas Hashem. "If a person feels that he needs to bring a korban todah for all the miracles he has experienced but not for his daily bread which is really a gift from God, he has not sanctified his bread. His hishtadlus for parnassah has not been consecrated by pure emunah."<sup>1</sup>

Rav Yankel Galinsky, zt"l, illustrated this through a lesson that a certain woman taught the bochurim who were learning in

Novardhok. "It used to be that the average yeshiva boy had to take his meals at the homes of the local Jews. In Novardhok, the bochurim would pay a few pennies for the privilege of eating 'teg'. There was a certain woman who would receive the bochurim kindly and provide a hearty meal for whoever wanted. She also provided a marked lesson in how to view the proper relationship between bitachon and hishtadlus.

"Whenever a bochur would come to her home she would say, 'You should know that you are eating for free.' And when they would pay she would say, 'You are giving me this money for nothing.'"

The Beis Halevi, zt"l, explained the need for hishtadlus very well. "After the sin of Adam, the yetzer hara became a part of mankind. Since that time, a person who was not kept occupied by some productive

activity would be drawn to all sorts of things which are harmful to his soul. As our sages say, 'בטלה מביאה לידי זימה' — Idleness leads to lewdness.' To ensure that most people avoid such a pitfall, people must work. As the Mishnah states, 'יפה תלמוד תורה עם דרך ארץ שיגיעת שניהם — משכחת עון' — It is good to combine Torah study with productive labor, since being busy with both makes one forget to sin.' But we should realize that it is not our efforts that provide us with a livelihood—it is Hashem. A person's attitude toward his work should be that he is doing so to fulfill God's decree that one who does not work will not have parnassah. Yet one should still look to God since it is He who provides parnassah."<sup>2</sup> ■

1. מאורה של תורה, ויקרא, ז': י"ב
2. בית הלוי, הוספות ע"ד ■