

OVERVIEW of the Daf

1) Clarifying the Mishnah (cont.)

The Gemara completes its challenge to the explanation given for R' Yehudah's position that a vow to bring a mincha requires him to bring fine flour.

Another explanation for R' Yehudah's position is suggested.

This explanation is unsuccessfully challenged.

2) Types of Minchas

R' Pappa inquires about the obligation of one who vows to bring "types of menachos."

Two unsuccessful attempts to resolve this matter are presented.

3) Clarifying the Mishnah (cont.)

R' Yirmiyah and Abaye disagree about whether the Mishnah's ruling that one who vows to bring a mincha and does not recall which one must bring the five varieties, reflects the view of R' Shimon or not.

R' Pappa unsuccessfully challenges Abaye's assertion that the Mishnah could reflect R' Shimon's position.

The Gemara questions how one should phrase his stipulation when bringing these five meinachos. ■

HALACHAH Highlight

Is the order in which items are listed significant?

והא תנא הואיל ופתח בו הכתוב תחלה קאמר

But the Tanna explained that it was because the pasuk discussed this first

Shulchan Aruch¹ enumerates a number of vegetables that could be used for maror and then he writes that preferably one should use חזרת, the first vegetable on the list. If חזרת is not available one should try and obtain the next vegetable on the list since the order in which they are enumerated also represents their order of preference. Tevuos Shor² notes that generally when a Mishnah enumerates different items there is no reason to give preference to the item that is listed first. Therefore, when the Mishnah in Pesachim (35a) lists the grains that could be used for making matzah, there is no reason for one to specifically use wheat because it is the first grain on the list. The reason that maror is an exception to the rule is that regarding

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Distinctive INSIGHT

An unspecified minchah or olah

מן הצאן יביא כבש הואיל ופתח בו הכתוב תחלה

In the Mishnah (104b), R' Yehuda stated that if a person pledges to bring a minchah without specifying which type of minchah he will bring, the halacha is that he should bring a minchah of fine flour (סלת), because "this is the most unique of the menachos." The Gemara analyzes the words of R' Yehuda and tries to understand what he means when he says that a minchah of fine flour is "the most unique" of the menachos. A Baraisa is cited which explains that R' Yehuda means that a minchah of fine flour is the first of the menachos listed in the verse (Vayikra 2:1), before the other menachos listed in the subsequent verses (ibid., verses 4-7).

As Rashi explains, the Gemara challenges this explanation, because if this were so, we would expect to find the same halacha in other areas as well. For example, someone who pledges to bring an olah, and does not specify which animal he intends to bring should have to bring a young bull, as this is the first example of the animals presented for an olah (Vayikra 1:3). Similarly, if he says he will bring an olah from the flock (צאן), he should have to bring a sheep and not a goat (ibid. v.10), and if he says he will bring an olah from birds, he should have to bring it from pigeons (תור), and not doves. In all these cases, he should have to bring the animal mentioned first in the respective verses of the Torah. Yet, the Mishnah (107a) rules that a person only has to bring a sheep when he promises to bring an olah without specifying which animal he will bring. The reason is that he can discharge his obligation with the smallest and least expensive animal available, and there is no need to

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REVIEW and Remember

1. In what way is a fine-flour mincha distinctive?
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2. What is R' Shimon's unique position regarding one who vows to bring an oven-baked mincha?
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3. What is another name for the work called שחיטת קדשים?
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4. Why is it easier to make a stipulation for mincha than it is to make a stipulation for an animal korban?
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maror there is reason for the Mishnah (Pesachim 1:6; 39a) to have put מרור first since it is bitterer than the others and the fact that it was placed last on the list indicates that the order must be specific. For this reason he disagrees with Bach's ruling concerning the choice of implement for slaughtering. Bach³ maintains that one should first choose a knife with a metal blade, then a stone, then glass and finally a reed since that is the order in the Mishnah (Chullin 1:2, 15b). Tevuos Shor disagrees and maintains that all of the items are treated the same and there is no preference to use one over the other simply because it was listed earlier in the Mishnah.

Teshuvos Ha'elef L'cha Shlomo⁴ cites our Gemara as proof to Tevuos Shor's position. The Baraisa teaches that when a person vows to bring a mincha and does not specify the type of mincha that he will bring, he is obligated to bring a fine-flour mincha since that is the first mincha mentioned in the Torah. The Gemara explains that the Baraisa did not mean literally that the reason a fine-flour mincha is offered is that it is mentioned first in the Torah; rather a fine-flour mincha is offered because that is the only mincha that is referred to as mincha without any accompanying description. This makes it clear that something that is listed first does not automatically give it precedence over items that are mentioned later in the list. ■

(Insight...continued from page 1)

bring the first of the animals listed in the verse.

The Gemara concludes that R' Yehuda rules that this person must bring fine flour because this is the only minchah which is not identified with an attached name. It is the only minchah which is simply called "a minchah." This is what is "unique" about it.

Tzon Kodoshim notes that there are those who question Rashi, because although the Torah here lists sheep before goats, we also find (ibid. 4:28) that the Torah lists goats before sheep. The Gemara in Kereisos (28a) comments that this teaches us that goats or sheep are equal regarding offerings. How, then, can we be saying that an unspecified olah would have to be from sheep because it is listed preferentially?

Tzon Kodoshim continues by presenting those who answer that although the Torah later balances goats with sheep and that neither is preferred for an offering, nevertheless, the very fact that a sheep is the first animal mentioned in Sefer Vayikra is reason enough to say that an unspecified olah should be from a sheep and not a goat. ■

1. שוייע אוי"ח סיי תעייג סעי ה'.
2. תבואות שור יו"ד סיי ו' סק"א.
3. ב"ח שם סעי ב'.
4. שו"ת האלף לך שלמה או"ח סיי רע"ח. ■

STORIES Off the Daf

Admitted Ignorance

"משמענין ליה לר"ש..."

On today's daf we find that Rabib Shimon allows an isaron or log to be brought from two separate esronim or lugim. Rashi, ז"ל, comments that although the Gemara writes that we know Rav Shimon holds this way, he is unaware of its source for this.

The Chazon Ish, ז"ל, explains, "Rashi records when he is unsure, to teach that admission of uncertainty is also Torah. One should always be clear of what he knows and what he does not know."¹

Rav Yosef Yitzchak Lerner, shlit'a, contacted Rav Shlomo Zalman Auerbach, ז"ל, regarding a correction the lat-

ter had added to the "Lev Avraham." In this work, Professor Avraham Avraham brought the opinion of Rav Avraham ben HaRambam, ז"ל, and Rav Sherirah Gaon, ז"ל, as conclusive. Both luminaries hold that Chazal's teachings regarding medicine are not Torah; they merely reflect medicine as understood in their time. If contemporary science disagrees, the halacha follows the medical experts. Rav Shlomo Zalman maintained that since other authorities disagree, this opinion should be prefixed with "some say."

Rav Lerner wrote Rav Shlomo Zalman a letter of inquiry. "Who are the Rishonim who hold that one should follow the Gemara even against present day medical experts? I ask since several students in my Yeshiva attended university and this question is very important to many of them."

Rav Shlomo Zalman wrote back admitting that he did not remember who disagrees. "But the Shulchan Aruch rules that one must violate Shabbos even in situations which contemporary science holds are not life threatening."

Although Rav Lerner wished to include Rav Shlomo Zalman's reply in his sefer, שמירת הגוף והנפש, he felt uncomfortable printing that Rav Shlomo Zalman had forgotten a source. Perhaps he should print the letter in a more respectable form?

When he asked Rav Shlomo Zalman his opinion about this he rejected this concern out of hand. "What do you mean this is dishonorable for me? The truth is that I don't recall...Not only should you print this letter, you must print it as is..."² ■

1. שערי אהרון על ש"ע, ח"א
2. שלמי מועד, ע' תקמ"ג-תקמ"ד ■