



OVERVIEW of the Daf

1) Multiple contacts with tumah (cont.)

R' Yochanan's distinction between two cases of simultaneous contact with tumah is challenged.

R' Elazar and Rava suggest explanations but they are rejected.

R' Pappa and Mar bar R' Ashi present explanations that are accepted.

2) גוסס

A Baraisa presents a dispute between Tanna Kamma and R' Yosi when a dying person transmits tumah.

R' Yochanan asserts that the only difference between the two opinions is related to how to explain the verses.

Reish Lakish asserts that the dispute relates to whether a גוסס transmits tumah.

The Gemara records the exchange between the two opinions concerning the different relevant verses and halachos.

Tanna Kamma's position is unsuccessfully challenged.

3) Restrictions on a Kohen's allowance to become tamei

R' Chisda in the name of Rav asserts that if a Kohen's father is decapitated the Kohen may not become tamei for him.

R' Hamnuna unsuccessfully challenges this assertion from the case of a מת מצוה.

R' Chisda's ruling is challenged from a Baraisa.

It is asserted that the Baraisa cited represents the opinion of R' Yehudah.

The Baraisa that contains R' Yehudah's position is cited.

Another Baraisa is cited to challenge R' Chisda's position. ■

Distinctive INSIGHT

A Kohen becoming defiled for the dead

לה מיטמא ואינו מיטמא לאברים

A Kohen is not allowed to defile himself for the dead. During the Musaf service for Yom Kippur we read the tragic story of the ten martyrs who were killed by the Roman government. There is an interesting question which arises from this episode which is relevant to our halacha. Rabban Shimon ben Gamliel was chosen to be put to death first, and he was killed by the sword. Rabbi Yishmael, the Kohen Gadol, picked up the head of Rabban Shimon ben Gamliel and cried out bitterly and lamented, "Oh, how could it be that this tongue which was so skilled in the precepts of the Torah must now lick the dirt?" We can ask, however, how Rabbi Yishmael, who was a Kohen, could allow himself to come into direct contact with the dead?

This question was presented to Rabbi Tzvi Pesach Frank (1873-1961), the Chief Rabbi of Yerushalayim, as part of a discussion regarding another case. The wife of a certain Kohen died, and the halacha is that the Kohen is allowed and even required to participate in her funeral. When he was brought to the funeral home, however, another deceased person was also brought into the facility to be taken care of. The Kohen was certainly allowed to defile himself for the sake of his wife, but he had no reason to become exposed to the tumah of the other person who had died, who was not his relative. The question which was posed was whether this man was permitted to be in that funeral home to take care of the needs of his wife.

HaRav Frank answered (Har Tzvi, Yoreh Deah #282) that since that Kohen was already going to become impure, and being in the building would not expose him to any further level of tumah, he was allowed to enter. However, he was warned that when his wife was taken out, he should leave the building first. If he allowed her body to be removed before his leaving, it would turn out that for that moment he would be in the building and exposed to the tumah of the other deceased person without the excuse of being there for his wife.

We can use this same approach to explain the actions of Rabbi Yishmael. Rabbi Yishmael was already in

REVIEW and Remember

1. Does a gosses transmit?

2. What is the prohibition of profaning oneself?

3. What is the definition of a מת מצוה?

4. What is the dispute between Rabanan and R' Yehudah?

HALACHAH Highlight

An incomplete body

אמר ר' חסדא אמר רב נקטע ראשו של אביו אינו מטמא לו
R' Chisda in the name of Rav taught that if one's father was cut off his son [who is a Kohen] is not permitted to become tamei for

him
R' Chisda in the name of Rav teaches that a Kohen is not permitted to become tamei for his father who passed away if his father is not complete, e.g. his head was severed from his body. Shulchan Aruch¹ cites this ruling and adds that there is an opinion that maintains that this ruling only applies when the limb was severed from the body after the deceased died, but if the limb was severed before the deceased died the son is permitted to become tamei for him even though when he died he was not complete.

Rav Moshe Feinstein² was asked about a kohen who, during his lifetime, had internal surgery and as a result of the surgery was missing some internal organs. The son of this Kohen wanted to know whether it is permitted for him to become tamei for his father when he dies since his body is no longer complete. Rav Feinstein replied that since the organ was removed during the father's lifetime it is certainly permitted according to the view, cited in Shulchan Aruch, that organs severed during one's lifetime do not render a person incomplete. Furthermore, even those

(Insight. Continued from page 1)

the building with Rabban Shimon ben Gamliel who was killed. Once he was already exposed to the defilement of the dead, there was no additional level of tumah to which he was exposed by now picking up the head. ■

Poskim who hold that the loss of a limb renders a person incomplete even if it took place during one's lifetime would agree that in this case the son could become tamei for his father. The reason is that the ruling in Shulchan Aruch is limited to the loss of external limbs but the loss of internal organs does not render a body incomplete.

Rav Shmuel Halevy Wosner³, the Shevet Halevi, disagrees with this distinction and writes that a simple reading of the Gemara and Shulchan Aruch indicates that there is no reason to distinguish between internal and external organs. Rav Menashe Klein⁴, the Mishnah Halachos, also wrote that missing internal organs renders a body incomplete and claims that Rav Moshe Feinstein told him that he retracted his opinion. An interesting connected question relates to whether a kohen who died in surgery and lost some blood subsequent to his death is considered incomplete or not⁵. ■

1. שו"ע יו"ד סי' שע"ג סעי' ט'.
2. שו"ת אג"מ יו"ד ח"א סי' רנ"א.
3. שו"ת שבט הלוי ח"ג סי' קס"א.
4. שו"ת משנה הלכות ח"ג סי' קכ"א.
5. ע"י שו"ת תשובות והנהגות ח"ג סי' שמי"ט. ■

STORIES Off the Daf

A Neglected Mitzvah

"מת מצוה קאמרת..."

Today's daf discusses meis mitzvah, attending to the needs of a Jewish niftar when no one else claims him.

The Yerushalmi says that any mitzvah that people are not careful to fulfill has the status of a **מת מצוה**. One such mitzvah is learning on Friday and Shabbos, when there is no official seder in many yeshivos.

Rav Shach, zt"l, would speak about this at great length. "Life is the most precious commodity at our dis-

posal. Is it not fitting to treat life with great care? Let us consider that even in one day we can salvage much... If we would only use our precious Fridays and Shabbosos to learn!

"Regarding Shabbos it says, 'ווינפס,' since Shabbos is the nefesh and neshama, the vitality and soul, of the entire week... If we were to see someone driving his car on Shabbos we would be shocked, but are we not also guilty of a more subtle violation of Shabbos? How have we given life to the Shabbos, the life-force of the entire week? With kugel or cholent? If we don't bring vitality to the Shabbos with our learning, we have violated the spirit of Shabbos even though we have not

transgressed any prohibition that is **חייב מיתה**. Also, consider that Friday and Shabbos are a third of the week. Some people literally can't be in yeshiva all Friday since they are preparing for Shabbos, but yeshivah boys can learn as long as they like. Why should you waste a third of your lives for no good reason?"

Rav Dov Yaffe, shlit"א, once told a group of young men in Yerushalayim, "Why waste your Friday on nonsense? Prepare for Shabbos quickly and come learn. Sadly, many people spend the whole day preparing for Shabbos because they procrastinate and waste hours until they finally get into the swing of things..." ■

