



OVERVIEW of the Daf

1) Retroactive tum'ah (cont.)

The Gemara finishes reinterpreting the Baraisa cited by Avimi of Bei Chozai.

A Baraisa is cited in support of Zeiri's teaching as defended by Rava.

The reason Rava did not cite this Baraisa is explained.

R' Huna asserts that retroactive tum'ah applies only to korbanos but not to terumah.

Numerous unsuccessful challenges to this ruling are recorded.

According to a second version R' Huna ruled that the decree of retroactive tum'ah applies to korbanos as well as terumah.

R' Nachman challenged this version of R' Huna's statement.

R' Shmuel the son of R' Yitzchok accepted the challenge in one context but not in another context.

2) Dough that may be tamei

A Mishnah in Challah discusses what happens if an uncertainty regarding the taharah of dough arises.

The rationales behind the Mishnah's rulings are explained. ■

REVIEW and Remember

1. What is the point of dispute between Tanna Kamama and R' Akiva?

2. According to R' Huna, what is affected by retroactive tum'ah?

3. Why did it take so long for the maidservant of R' Gamliel to prepare loaves of terumah?

4. Is it permitted to cause food to become tamei in Eretz Yisroel?

Today's Daf Digest is dedicated
Mr. Chaim Fisher
In memory of his mother
מרת בתי' בת ר' צבי הירש ע"ה

Distinctive INSIGHT

Relying upon a minority opinion in a crisis

אמר כדאי הוא רבי אליעזר לסמוך עליו בשעת הדחק

Rav Huna stated that the twenty-four hour precaution which must be applied prior to a woman's seeing blood is only in regard to kodoshim, but it does not apply to terumah. The Gemara brings a series of questions against this statement of R' Huna.

One of the questions is from a Baraisa which presents a case of a young woman for whom three periods of thirty days passed without her seeing blood. According to R' Eliezer (7b) if this woman now sees blood she only has to be concerned regarding tum'ah from that moment and beyond. Rabbanan disagree and they hold that we only say *דיה שעתה* after the passage of three periods without seeing blood when we are dealing with an elderly woman, where there is reason to say that her not seeing blood is due to her age. However, if a young woman does not see blood for ninety days, she still must be concerned for tum'ah for the twenty-four hours before seeing. An actual situation was brought before Rebbe, and he ruled according to R' Eliezer that no prior precautionary period of tum'ah had to be applied. The Baraisa concludes that Rebbe later regretted having ruled according to R' Eliezer, but he allowed his ruling to stand, because "R' Eliezer is reliable in a time of crisis." The Gemara notes that in the time of Rebbe there was terumah available, but there were no kodoshim. This is contrary to Rav Huna's statement as we see that the law of precautions for women applies to terumah as well as kodoshim.

The Gemara answers that even in the time of Rebbe there were people who maintained commodities holy as kodoshim.

Rashba (Responsa 1:253) notes that Rebbe regretted ruling according to the view of R' Eliezer because the rule is that the halacha follows the majority view and not that of an individual. Yet, Rebbe did not retract his ruling, due to the circumstances being "in a time of crisis." Rashba concludes that we see from here that if the halacha is rabbinic, and the circumstances are critical, we may rely upon a minority view against the majority.

The Chiddud Halachos explains that according to Tosafos (7a), the law of a twenty-four hour precaution of tum'ah is considered less strict than other rabbinic laws, so we cannot prove from here that we may rule in accordance with a minority opinion in other rabbinic rulings. Perhaps Rebbe only was willing to rely upon R' Eliezer in this partic-

Continued on page 2)

HALACHAH Highlight

Immersing before Yom Tov

חבריה מדכן בגלילא

Chaverim made wine and oil tahor in Galil

Rosh¹ cites Rav Saadyah Gaon ruling that one should recite a beracha before immersing on erev Yom Kippur. Rosh questions this ruling since there is no hint in the Gemara that one must immerse on erev Yom Kippur, nor is there a custom to immerse that traces itself back to the prophets. As far as R' Yitzchok's statement in the Gemara Rosh Hashanah (16b) that one should make sure that he is tahor for Yom Tov, that statement refers to assuring that one is tahor for the purpose of eating in a state of taharah. Thus not only is immersion required but it is also necessary for one to be sprinkled on the third and seven day of the taharah process with ashes from the parah adumah. Since nowadays we do not have taharos there is no requirement to immerse in advance of Yom Tov. The only reason we do so is to purify ourselves from the tum'ah of keris and this is based on the statement in Pirkei D'rebbi Eliezer (ch.45) that on Yom Kippur one should be pure like the angels.

Pri Chadash² challenges Rosh since he himself cites the Yerushalmi (Shabbos 1:1) that quotes R' Chiya Rabba as instructing Rav that even if he cannot eat in a state of taharah throughout the year, for at least seven days he should eat in a state of taharah. Tur cites Raavyah who has a tradition that the seven days should be observed between Rosh Hashanah and

(Insight...continued from page 1)

ular case, due to its being more lenient.

Chasam Sofer accepts the principle of Rashba, but he holds that in order to rely upon a minority opinion, the situation must be rabbinic, there must be a condition of crisis (they needed the food), and there must be another reason as well to be lenient, i.e., a significant loss which is pending. ■

Yom Kippur. Tur also explains that it was unnecessary to mention eating in a state of taharah on Rosh Hashanah since anyways a person will do so due to the obligation to be tahor for Yom Tov. This clearly indicates that although one cannot make himself tahor from corpse tumah there is still an obligation for one to make himself tahor for Yom Tov which is inconsistent with Rosh's previous ruling. Pri Chadash suggests that R' Chiya Rabba's instruction to Rav applied during the time of the Amoraim while they still had ashes from a parah adumah and could become t'horim from corpse tum'ah. This ability is referenced in our Gemara when it mentions people in the time of Rabbi, who lived after the destruction of the Beis HaMikdash, who prepared wine and oil to be used in the Beis HaMikdash. Clearly they must have had the ability to become t'horim even from corpse tum'ah. Nowadays that we do not have ashes from the parah adumah there is no obligation to immerse before Yom Tov and thus no beracha is recited. ■

1. רא"ש יומא פ"ח ס"י כ"ד.
2. פרי חדש או"ח ס"י תר"ו סק"ד.
3. רא"ש ר"ה פ"ד ס"י י"ד.
4. טור או"ח ס"י תר"ג. ■

STORIES Off the Daf

Conflicting Priorities

בשעת הדחק

On today's daf we find that one may follow a halachic leniency in a case where there is a pressing need.

A certain man was very proud to have found an excellent makom kavuah. As we find on today's amud, it is preferable to find a set place to daven in and to refrain from changing it without a pressing need. This man's place in shul was very comfortable indeed; with few exceptions he davened in the same place in shul for an entire decade. Then his father got sick. But since they lived in the

same town, the son hardly missed regular prayers during his parent's extended illness. But his father never recovered. After a long struggle, the man's father left the world.

After shivah the devoted son obviously wished to daven before the amud for the merit of his parent's soul. The only trouble was that the shul which he had davened in for so long had a set chazzan. Although there were informal shteiblach in his town, he preferred not to daven there. How could he ignore the halachah that one should pray in his usual place? On the other hand, how could he refrain from praying for his parent? He knew that in certain circumstances it was preferable to forgo davening for one's parent's soul, for example,

if this would cause strife. He wondered whether keeping one's regular place also constituted a good reason to abstain?

When this question reached Rav Yosef Shalom Eliyashiv, zt"l, he ruled that the man should indeed forgo his regular place and daven in shteiblach. "The halachah is that if there is a pressing need one should change his place. Davening for the uplift of a parent's soul fulfills the mitzvah of kibbud av v'em.¹ Clearly there is no need more pressing than this! As the Rama writes, 'One who knows how to lead the prayers should do so. This is more effective than the mourner's kaddish, which was primarily decreed for minors.'² ■

1. עיין שו"ת רע"א, ס"י ס"ח.
2. רמ"א ביו"ד, ס"י שע"ו. ■