



## OVERVIEW of the Daf

### 1) The source that flax becomes tamei as a roof (cont.)

R' Elazar presents a gezeira shava that teaches that flax becomes tamei as a roof.

### 2) Can the hide of a non-kosher animal become tamei with roof tum'ah

R' Elazar questions whether the hide of a non-kosher animal can become tamei with roof tum'ah. The Gemara explains that the question depends on whether the tachash, an animal whose skin was used as a cover for the Mishkan, is a kosher or non-kosher animal.

R' Yosef, basing himself on a Baraisa that states that only kosher animals were used in the "service of Heaven," holds that the hide of non-kosher animals does not become tamei with roof tum'ah.

Rava disagrees, and demonstrates from the common denominator (צד השווה) shared by tzara'as and sheretz that we do not distinguish between kosher and non-kosher animals so too with regards to roof tum'ah there is no distinction and they can become tamei with roof tum'ah.

This approach is rejected, and the proof that non-kosher animal hide can become tamei with roof tum'ah is from a קל וחומר from the law of plucked goat's hair. According to this, the Baraisa cited by R' Yosef that only kosher animals were used in the "service of Heaven," refers to the requirement that tefillin straps must be made from a kosher animal.

### 3) The identity of the tachash

The Gemara returns to the question of whether the tachash was a kosher or non-kosher animal.

R' Illa in the name of R' Shimon ben Lakish demonstrates, based upon a particular physical characteristic, i.e. a single horn, that the tachash was a kosher animal.

**4) MISHNAH:** R' Eliezer maintains that a wick that was made of a garment that was folded but not singed is susceptible to tum'ah and may not be used for the Shabbos lights. R' Akiva disagrees on both points.

### 5) Explaining the dispute in the Mishnah

The Gemara explains that as far as the tum'ah issue is con-

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## Gemara GEM

### The Tachash had One Horn

דאמר רב יהודה שור שהקריב אדם הראשון קרן אחת היתה לו במצחו

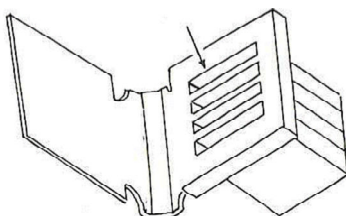
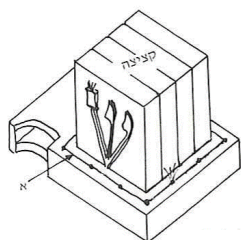
The ox which Adam Harishon brought as a Korban had one horn on its forehead. Why did Adam HaRishon specifically offer an ox with one horn instead of a regular ox?

The Hakosev in Ein Yaakov (Chulin 60a) quotes the Rashba, who explains that when Adam HaRishon sinned by partaking of the Eitz HaDa'as, he did so because he strayed from what he knew he was supposed to do, instead following the knowledge in his heart. In order to show that he was no longer going to follow his personal desires, and instead be solely committed to doing the will of Hashem, he brought a Korban which had only one horn coming out of the middle of the animal's head. One horn coming out of the middle of the head showed that he was going to go in the one straight logical way, that of Hashem, and not deviate to another path due to his desires.

The Rashba continues that this concept was also apparent in the building of the Mishkan, in which the skins of Techashim were used to cover the Mishkan. The Techashim also had only one horn, as we see in our Gemara. Their usage in the Mishkan was to cover the entire Mishkan and make it into one unit. This showed that Bnei Yisrael did Teshuvah from their sin of the Golden Calf, in which it seemed that they held of more than one God (see Maharsha in Chulin ibid. who expresses a similar thought).

The Iyun Yaakov in Avoda Zara (8a) mentions that it was apparent to Adam ha'Rishon to bring this animal as a Korban, as it only had one horn. The reason it only had one horn is that it was directly created by Hashem (as opposed to animals which were born later which usually have two horns). Adam realized that he must bring this animal as his atonement. We know that the concept of a Korban that is brought as an atonement is that it is in place of the person who sinned. Adam Harishon understood that just as he was created directly from Hashem without parents, it was fitting for him to bring a Korban which was similarly created directly by Hashem. ■

## Daf DIAGRAM



The שיין of the tefilla shel rosh is made from three folds pulled out of the box itself.

Rashi explains עורן to be the form in which the parchments are placed. (See arrow)

## REVIEW and Remember

1. Explain the dispute between R' Yehudah and R' Nechemya regarding the covering of the Mishkan.
2. What is the source that requires the tefillin shel rosh to have a shin on the side?
3. Is the tachash a kosher or a non-kosher animal?
4. Does twisting a piece of cloth into a wick remove its status of being a garment?

# HALACHAH Highlight

## Usability of items for the purpose of a Mitzvah that are not of a Kosher origin

ואלא הא דתני רב יוסף: לא הוכשרו במלאכת שמים אלא עור בהמה טהור בלבד. למאי הלכתא? לתפילין

Then the Baraisa that was taught by Rav Yosef: the only skin acceptable for the service of Heaven is only that of a Kosher animal, for which actionable law was this taught? Answers the Gemara: For Tefilin

The Poskim discuss the usability of items for the purpose of a Mitzvah that are not of a Kosher origin. The *Olas Shabbos*<sup>1</sup> opines that the Halacha is not in accordance with Rav Yosef's opinion. He bases his outlook on the fact that there is a need for a specific verse to teach us in regards to Tefillin that they must come from a Kosher source. If so, he reasons, the Halacha must not follow Rav Yosef, because if the Halacha followed Rav Yosef there would no need to learn Tefillin from that verse. In the end, only Tefillin and other Mitzvos involving writing must come from kosher sources.

However, the Magen Avraham<sup>2</sup> questions the position. After making reference to our passage, which appears to contravene the view of the *Olas Shabbos*, he explains that in fact Rav Yosef himself derived his concept from Tefilin. He explains our Gemara such that we learn that Rav Yosef himself ultimately elicited his view from the verse of למען תהיה תורת ה' בפיך (in order that the Torah of Hashem be in your mouth), that not only Tefillin must be from a Kosher source, but all the Mitzvos must come from only Kosher sources.

However, the S'dei Chemed<sup>3</sup> questions the Magen Avraham's position based upon a statement recorded elsewhere in the Magen Avraham. The Magen Avraham<sup>3</sup> writes that the custom is to attach a collar of silk to the Tallisin order to guarantee that the Tzitzis that are in front always remain in front. The S'dei Chemed questions this based upon the fact that silk is the product of worms, a non-Kosher source. He cites Rabeinu Bachya<sup>5</sup> who explains that silk was not used in the Mishkan (Tabernacle) because silk is produced by worms, and as such comes from a non-Kosher origin. Thus, according to the Ma-

(Overview...continued from page 1)

cerned R' Eliezer holds that folding the wick does not remove its status of being a utensil and therefore it remains susceptible to tum'ah, whereas R' Akiva disagrees.

Regarding the question of whether these wicks may be used for Shabbos, R' Elazar in the name of R' Oshaya and R' Ada bar Ahavah explain that Mishnah is discussing a wick that was exactly three by three fingerbreadths and it is being lit on a Yom Tov that falls on Erev Shabbos. R' Elazar holds that since folding the wick does not remove its status of being a utensil when it is lit it becomes a broken a utensil which may not be used on Yom Tov. R' Akiva holds that since when folded it is no longer a utensil there is no issue of lighting a broken utensil. ■

gen Avraham, how could one utilize silk which is the product of worms for a Mitzvah? He is more disturbed by a different Halacha. The Shulchan Aruch rules that one may place silk Tzitzis on a silk garment. Again, writes the S'dei Chemed, according to the Magen Avraham how could this be permitted, considering the fact the silk comes from a non-Kosher source? He cites the Chasam Sofer<sup>7</sup> who explains that once an item has been converted from its initial form, such as by weaving, it is no longer prohibited due to the limitation of utilizing only items from a Kosher source. The S'dei Chemed writes at great length on this topic, and, as is his way, cites copiously the writings of numerous authorities on this matter. ■

1. עולת שבת (סי' תקפו אות א)
2. מג"א (שם סי' ק) ע"פ פירושו של המח"ש שם
3. שדי חמד (אסיפת דינים, מע' חנוכה אות יד, ד"ה ותמיה לו)
4. מג"א (סי' ח' סי' ק)
5. רבינו בחיי עה"ת (שמות פכ"ה פסוק ג)
6. ע"י שו"ת חתם סופר (חאו"ח סי' טל) שעמד בזה, וכתב שציצית שאינם אלא מצוה בעלמא, לית לן בה. אמנם אין זה מן הישות לדעת הרב מג"א. ע"י בשד"ח שם
7. שו"ת חת"ס שם, אבל זה דלא כשיטת רבינו בחיי. ועיי' בשדי חמד לקמן שם (סי' ועל ראיית הגאון)
8. ע"י למהר"ש קלוגר בשו"ת שנות חיים (סי' רכ) ששמן שבדאי יש בו שומן של חזיר אין ראוי להדליק בו. אמנם ע"י בשו"ת בית שלמה (חאו"ח סי' קח-קט) ובשו"ת בית יצחק (ח"א מחיו"ד סי' קמה) ובשו"ת תורת חסד לובלין (חאו"ח סי' ס') שכתבו להקל. ועיי' בשדי חמד (שם ד"ה ומאטתי שהגאון ואילך). ואכמ"ל
9. ע"י בשו"ת בית שלמה הנ"ל. וכן בשו"ת בית יצחק ובשו"ת תורת חסד הנ"ל ■

## Distinctive INSIGHT

### The Mystery of the שי"ן of the Tefillin Shel Rosh

והאמר אביי שיין של תפילין הלכה למשה מסיני

The statement of R' Yosef teaches that there is some "labor for heaven" for which we may only use a kosher animal. The Gemara has concluded that in terms of contracting tum'ah, even the skins of non-kosher animals are included. The statement also cannot be referring to the parchments upon which tefillin is written, because this is determined through an explicit drasha from the verse: "למען תהיה תורת ה' בפיך."

The next attempt of the Gemara is to apply this lesson to the boxes of leather which contain the tefillin parchments. Here, the Gemara again rejects the suggestion, because the fact that the letter שי" must be inscribed into the box itself, this automatically requires that the leather of the box also be of a kosher animal. This would be obvious from the verse cited above, and not necessary for R' Yosef to discuss.

Finally, the Gemara concludes that R' Yosef is referring to the straps of the tefillin, which must be taken from a kosher animal.

Rabbi Akiva Eiger, זט"ל, in the Gilyon Hashas, asks why the Gemara did not suggest that the words of R' Yosef might refer

to the box of the tefillin for the arm. After pointing out that the box for the head has the letter שי" inscribed into it, the Gemara could have proposed that the insight of R' Yosef teaches about the box for the tefillin of the arm, which does not have a letter inscribed into it. Sfas Emes answers that whatever law applies to the tefillin box for the head can be assumed to apply to the box for the tefillin for the arm as well. Mishnah Berura (32:#166) quotes from the Pri Megadim who says this explicitly. The Bi'ur Halacha concurs, and he learns that our Gemara could have said that the letter שי" in the tefillin for the head proves that neither of the boxes can possibly be made from a non-kosher animal ■

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