

This week's Daf Digest is dedicated
In memory of Israel Isser Ben Tzion ben Yaakov

OVERVIEW of the Daf

1) One who is uncircumcised (cont.)

R' Ashi concludes presenting another refutation of R' Sheishes' conclusion, namely that one who is uncircumcised is prohibited to consume maaser.

Three unsuccessful attempts are made to resolve the inquiry of whether one who is uncircumcised is permitted to consume maaser.

It is noted that R' Yitzchok also maintains that an uncircumcised person is prohibited to consume maaser sheni.

The Gemara declares that the גזירה שוה between maser sheni and pesach utilized by R' Yitzchok is open.

It is demonstrated that the part of the גזירה שוה on the Pesach side is open but notes that the גזירה שוה needs to be open on both sides.

A suggestion is presented that opens up another word to make the גזירה שוה open on both sides.

2) A tamei person eating teruma

The source that one who is tamei may not eat teruma is identified.

The source is unsuccessfully challenged.

The Gemara demonstrates how it knows that the phrase עד אשר יטהר refers to the arrival of nightfall.

(Continued on page 2)

REVIEW and Remember

1. Who is permitted to eat maser rishon?

2. Does a גזירה שוה have to be open in order to be valid?

3. What are the three stages in becoming tahor?

4. Is it ever possible for a female convert to eat teruma?

Today's Daf Digest is dedicated
By Dr. and Mrs. Moshe Nitekman
In loving memory of their father
ר' ראובן בן ר' אברהם הלוי, ע"ה

Distinctive INSIGHT

Smearing impure maaser oil upon one's body

מנין למעשר שני שנטמא שמותר לסוכו

Reish Lakish learns that it is permitted to smear impure maaser sheni oil on one's skin. Rashi explains that the reason Reish Lakish arrives at this conclusion only based upon a scriptural source is that we might have thought that סיכה כשתיה— smearing upon one's skin is parallel to drinking. If we would take this to an extreme, we might have mistakenly said that just as drinking impure maaser is prohibited, so too is it prohibited to smear impure maaser upon one's skin. The lesson of the verse is that this restriction of consuming impure maaser is only applicable by actual eating or drinking, and not in reference to סיכה, which is only compared to drinking.

Tosafos (ד"ה מנין) explains that the verse is necessary in order that we not prohibit smearing oil upon one's skin due to it being a type of destruction of the oil. It is prohibited to destroy maaser, even if it is impure. The lesson of the verse is that spreading oil upon one's skin is not a destructive manner of using the maaser, but it is permitted because smearing oil is beneficial for one's body, just as is drinking a beverage.

According to Rashi, comparing smearing of oil to drinking was a factor of concern, which would have made us think that using this oil was prohibited, but the verse comes to permit it. According to Tosafos, we would have logically thought that smearing oil is prohibited, and the verse comes to allow us to use the comparison between smearing oil and drinking as a factor which mitigates our concern and permits this.

Or Sameach (to Rambam, Hilchos Maaser Sheni 3:10) points out that Rashi holds that סיכה כשתיה is a Torah concept, and this is why Rashi learns that using impure oil on one's skin would only have been considered as drinking, and not as a destructive usage. Tosafos (Niddah 32a) holds that סיכה כשתיה is a rabbinic concept. Therefore, smearing oil on one's skin was not viewed as a proper usage of the maaser. This could not have been interpreted as drinking the impure oil in that the verse would be needed to deal with this as a form of drinking. Rather, Tosafos understood that the הוה אמינא was that this is a case of improper use of the oil, and that it would be prohibited due to it being considered destructive. The verse, however, allows it. ■

HALACHAH Highlight

Burning maaser sheni

ואימא ליקח לו ארון ותכריכים

Perhaps it refers to [using maaser sheni funds for] the purchase of a casket or shrouds

Rashi¹ explains that the Gemara's question relates to the permissibility of using maaser sheni that is tamei to purchase a garment; however, maaser sheni that is tahor may only be used for eating, drinking and anointing. This implies that maaser sheni that is tahor may not be used for lighting. Therefore, a person in possession of maaser sheni tahor is not permitted to derive benefit from it even as it is burning.

Shulchan Aruch² rules that nowadays it is permitted to transfer a large quantity of maaser sheni sanctity onto a small piece of fruit and then burn the fruit that contains the large concentration of the maaser sheni sanctity. Vilna Gaon³ notes that this ruling, that the maaser sheni may be burned, applies only to maaser sheni that became tamei, but if the maaser sheni is tahor it is prohibited to burn it. Clearly, Vilna Gaon maintains that it is not permitted to burn maaser sheni that is tahor under any circumstances, even if no benefit is derived from the burning process. Maaser

(Overview. Continued from page 1)

Rava in the name of R' Chisda explains how the Gemara knows that there are three different stages in becoming tahor, immersing, nightfall and offering a korban and how to apply them to maaser, teruma and korbanos.

The conclusion Rava in the name of R' Chisda draws faces numerous unsuccessful challenges. ■

sheni that is tamei, however, may be burned, but no benefit may be derived from this process of destroying it. Although this conclusion is in direct contradiction to Rav Ovadiah of Bertinoro, the majority of authorities agree that one is not permitted to burn maaser sheni that is tahor even if one will not derive benefit from the burning produce.

Accordingly, if one is faced with the necessity to destroy maaser sheni (בזמן הביעור) it will not be permitted to burn the maaser sheni on Yom Tov. The reason is that lighting a fire for no purpose is prohibited on Yom Tov. Furthermore, burning tahor maaser sheni is never permitted and although it is permitted to burn impure maaser sheni one is not permitted to derive benefit from that fire. Consequently, the maaser sheni may not be burned on Yom Tov⁴. ■

1. רש"י ד"ה ואימא

2. שו"ע יו"ד סי' של"א סע' קל"ג

3. ביאור הגר"א שם ס"ק ר"ב

4. ספר אחרית השנים שם ■

STORIES Off the Daf

Yearning purifies!

טבל ועלה אוכל במעשר, הערב שמשו אוכל בתרומה, הביא כפרה אוכל בקדשים

Once, two talmidei chachomim were seated together at a chasunah, one was a Gerrer Chassid and the other a product of the Lithuanian yeshivos. During the seudah, the latter turned to his table-mate and said, "Nu, tell me over a vort from your Rebbe, the Imrei Emes," zt"l.

The Chassid thought a moment and said, "I just learned Yevamos 74b. There it states that once a kohen has immersed and the sun has set, he can already eat teruma even though he has not yet brought his offerings. My Rebbe said about this: 'Really the kohen

should wait to eat until he has attained full atonement by bringing his offerings.

For this reason, a kohen who hasn't yet done so cannot eat kodshim. However, the verse says (Vayikra 22:7), 'And the sun will come and he will become pure, and afterwards he will eat from the kodshim since this is his bread.' This doesn't mean merely his physical bread. It also means that his spiritual life is contingent on this mitzvah. This principle teaches us a great fundamental principle that applies to everyone. One who is filled with yearning can come close to Hashem even if he is not yet completely pure! The yearning itself renders him pure, and will eventually purify him completely!"

The listener seemed unimpressed by these words. "That sounds a little farfetched since on a simple level these

are גזירות הכתובים. I have never seen that yearning is of such significance."

The Chassid answered, "Maybe you are not looking in the right places! The Ramchal writes that one of the greatest things one can do is hope to Hashem. Without this, one is filled with worries and is distant from Hashem, and is liable to punishment. This is the meaning of the verse, 'Chabakuk came and stood the entire Torah upon a single principle—the righteous lives by his faith.' What is faith? It is hope, the natural outgrowth of emunah! All of our deliverance depends on this, knowing that even though we are not yet pure, if we will only hope in Hashem we will surely be redeemed. This is why we end off the book of Eicha with the words: 'Restore us, Hashem, to You and we will return. Renew our days as of old!' ■