

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

OVERVIEW of the Daf

1) A tamei person eating teruma (cont.)

The Gemara explains why three verses are needed to teach when it is permitted for a person who was tamei to resume eating teruma.

The Gemara explains, according to an alternative opinion, why the Torah needs two verses to teach that a person who is required to bring a Korban is not permitted to eat from a Korban until he offers his Korban.

The necessity of the verse **במים יובא וטמא עד הערב** is explained.

This exposition is unsuccessfully challenged.

An alternative source related to the prohibition of touching teruma while tamei is presented.

2) Waiting for prohibited relations

R' Elazar suggests that the Mishnah that indicates that a woman waiting for prohibited relations is permitted to eat teruma follows R' Elazar and R' Shimon rather than R' Meir.

R' Yochanan asserts that even R' Meir could agree in our Mishnah.

The exchange between R' Elazar and R' Yochanan is presented.

3) פצוע דכה

A Baraisa defines the condition of **פצוע דכה** and presents a dispute about the status of a person with one testicle.

The assertion of the Baraisa that one whose testicle was punctured cannot have children is unsuccessfully challenged.

R' Yehudah in the name of Shmuel rules that one who became a **פצוע דכה** through an act of Heaven is permitted to marry into the congregation.

Two sources for this ruling are presented.

Rava explains how the terms **פצוע דך** and **כרות** apply to all the reproductive organs.

Rava explains how we know that the condition of **פצוע דכה** refers to the reproductive organs rather than one's head.

Rava's explanation is unsuccessfully challenged.

A Baraisa offers an alternative source that the condition of **פצוע דכה** refers to the genital area.

4) כרות שפכה

The definition of **כרות שפכה** is clarified.

A discussion regarding how much of the genitals must remain to be permitted to marry is presented.

Different Amoraim voice their opinions related to whether people suffering certain conditions are permitted to marry.

A ruling on this issue is presented.

Two related incidents are recorded. ■

Distinctive INSIGHT

Definitions of פצוע and of דכה

תנו רבנן: איזהו פצוע דכה?

Rashba and Ritva explain that the reason the Baraisa does not define the condition of **דך** is because there is no novelty involved in this situation. The Baraisa describes the condition of **פצוע** to teach that crushed testicles are a disqualification even if only one of the testicles is affected, and not just when both are damaged. The condition of **כרות שפכה** is taught to inform us that even if a large piece of the male organ is cut, as long as a small part of the crown remains (as explained in the Gemara), the person is not in the category of being **כרות**. The case of **דך**, where the male organ is injured, however, did not have to be qualified, so the Baraisa did not have to define it.

This clarification of the Rishonim suggests that unlike **פצוע** which applies even if one testicle is mutilated, the case of **דך** applies only when both testicles are maimed. However, the Meiri understands that the Baraisa did not elaborate in regard to the case of **דך** because the law is included in that of **פצוע**, and the details of it applying to where even one testicle is damaged applies to **פצוע** as well as to **דך**. In fact, Rambam (Hilchos

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REVIEW and Remember

1. Why does the Torah use the word **נגיעה** to express the prohibition against eating teruma?
2. What is a **סריס חמה**?
3. What is the source that a **פצוע דכה** in the hands of Heaven is permitted to marry into the congregation?
4. What did Ravina do to test Ameimar?

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HALACHAH Highlight

פצוע דכא

ת"ר איזהו פצוע דכא וכו'

The Rabbis taught: What is the definition of a פצוע דכא?

The Maharshah¹ writes that to be defined as a פצוע דכא the wound has to be of the nature that it impedes the man's ability to father children. If, for example, a doctor performed a procedure to a patient that involved cutting or puncturing something in the genital area but it does not impede the patient's capacity to father children, he does not qualify as a פצוע דכא. Chazon Ish² disagrees with Maharshah's conclusion for a number of reasons. One reason is that he does not feel that Maharshah's conclusion is in consonance with the Gemara which seemingly assumes that once a person suffers from one of these conditions he is a פצוע דכא. The majority of Poskim³ cite the lenient position of Maharshah and rule that even a person who suffers from one of these conditions, described in our Gemara, is permitted to marry into the congregation as long as he can still father children.

Rav Yosef Shalom Elyashiv⁴ was asked whether a person who needs fertility testing is permitted to allow the doctor to insert a syringe to draw semen since the Gemara mentions that a puncture in the testicles renders a person a פצוע דכא. Rav Elyashiv responded that it is permitted. The reason is that the wound heals within a number of days and Poskim agree that a puncture to the testicles that heals does not render one into a פצוע דכא.

(Insight. Continued from page 1)

Isurei Biah 16:7) rules that in either case, the law of פצוע and that of דך apply to where even one testicle is effected. Noda B'Yehuda (E.H. 1:6) explains that Rambam understood from the wording of the Mishnah that the halacha in both of these cases is parallel, for the Mishnah introduces this category with the double expression פצוע דכא.

Aruch Laner explains that the Mishnah does not explain the details of דך because it only intends to elaborate and explain the cases listed in the Torah explicitly. The word דכא in the verse is not the case of דך, but rather a reference to the testicles themselves, which are lower on the body. The actual laws of the case of דך are הלכה למשה מסיני. ■

Rav Shmuel Halevi Wosner⁵, the Shevet Halevi, addressed the case of a baby who was born with the hole for urine on the side rather than at the end of the male organ. The doctors decided that it was necessary to reconstruct the urinary tract and to accomplish this task they had to remove what was there. Shevet Halevi wrote that although this procedure should certainly be avoided if the same result could be accomplished by another procedure, but in this case once the procedure was performed and experience indicates that the child will be capable of fathering children there is no reason to prohibit this child from marrying into the congregation. ■

1. ים של שלמה יבמות פ"ח סי' ה'
2. חזו"א אה"ע סי' ט' ס"ק ט"ו
3. ע' אוצה"פ סי' ה' ס"ק מ"א
4. קובץ תשובות ח"ג סי' קע"א
5. שו"ת שבט הלוי ח"ח סי' רס"ז ■

STORIES Off the Daf

The blemished Kohen

איזהו פצוע

It is hard for us to imagine the depredations that Jews experienced under Nazi occupation. Those who were spared immediate death were often forced to do slave labor. Since these workers needed to be somewhat fed in order to produce, they were provided with more rations than the starvation diet distributed to the "unproductive." It was forbidden for any worker to bring back into the ghetto any food he may have saved from his meager rations, which would inflict greater anguish on the helpless workers as they watched their wives and families starve.

Reb Yechiel ben Meir HaKohen was

such a worker and felt completely powerless as he watched his family slowly wither away. He decided that, come what may, he would smuggle food into the ghetto to feed his suffering children. Once, while trying to bring a bit of dry bread to his children, the Nazi guard got suspicious and ordered him to strip and tore apart his garments. After this, he searched Reb Yechiel and found a bit of bread concealed. Upon discovering evidence of his crime, the guards kicked the poor man viciously until he became a פצוע דכא.

After he recovered somewhat, he sought out Rav Efraim Oshry, ז"ל, for comfort and guidance. He said, "It is true that these monsters have prevented me from ever living with my wife again, and I know that I can no longer have any children even if I survive. And even if I don't, I have complete faith in Hashem that the butchers will ultimately be butchered.

Meanwhile, I daven as I always have. I have a serious question, though. Since I am a kohen, I have always been called up for the first aliyah. Now that I am blemished, I am halachically forbidden to go up for kohen. Is there any way due to my extenuating circumstances that I might still be able to receive this aliyah?"

Rav Oshry permitted Reb Yechiel to continue to go up for rishon, and explained his reasoning in his writings after the war. "Had he not suffered enough? Did he have to reveal his shame in public?" Since calling a kohen for rishon is Rabbinic, protecting the victim from further disgrace takes precedence.

After hearing his ruling, Reb Yechiel exclaimed to Rav Oshry, "Rebbi, you have brought me back to life! And just as you have consoled me, so may Hashem console you and bless you forever!" ■