

OVERVIEW of the Daf

1) Inclusive prohibitions (איסור כולל cont.)

The Gemara notes that the three disagreements between R' Chiya and Bar Kappara relates to whether an inclusive prohibition can take effect on an existing prohibition according to the opinion of R' Yosi.

The Gemara successfully questions how each of the three cases involves an issue of an inclusive prohibition.

It is suggested that the dispute relates to whether it is possible for simultaneous prohibitions to take effect according to R' Yosi.

This explanation is successfully challenged

It is suggested that the dispute relates to whether it is possible for simultaneous prohibitions to take effect according to R' Shimon.

Two challenges to this explanation are presented. The first is successful and the second is unsuccessful.

Bar Kappara's opinion is successfully refuted.

2) A non-kohen who serves in the Beis Hamikdash

The Gemara questions what service the non-kohen is performing to be liable on Shabbos.

R' Acha bar Yaakov explains that it refers to someone other than the Kohen Gadol who slaughters the Kohen Gadol's bull.

R' Ashi maintains that it could refer even to simple violations, and the significance of this determination relates to burial among the completely wicked.

3) MISHNAH: The Mishnah discusses the prohibitions that could potentially be violated if two men accidentally exchange wives and the procedures that must be followed to rectify the situation.

4) Clarifying the Mishnah

R' Yehudah explains that the Mishnah should not state that the husbands exchanged wives, which implies it was done intentionally, rather it should state that the wives were exchanged, which implies that it was done inadvertently.

On its second attempt, the Gemara proves from the language of the Mishnah that this assertion is correct.

Distinctive INSIGHT

A non-kohen who slaughters a קרבן on Shabbos

אי בשחיטה, שחיטה בזר כשירה

In the Baraisa, Rabbi Yose taught that a non-kohen who serves in the Beis Hamikdash on Shabbos is liable for both violating the Shabbos and for his improper service as a non-kohen. The Gemara now analyzes the Baraisa to determine which service this non-kohen performed in this context.

If the non-kohen slaughtered the animal, we know that a non-kohen is legally eligible to slaughter the sacrificial animals. Rashi explains that this being the case, he would not be in violation of זרות. The Acharonim discuss the implication of Rashi's words. Shaar Hamelech (ביאת מקדש פ"ו ה"ט) explains that there would not be a violation of זרות, but the slaughter by a non-kohen on Shabbos would be sinful. Although the act is acceptable when done by a non-kohen, service on Shabbos itself was permitted for the kohanim only, and not for others. The בית מאיר explains that the reason for this is that because the non-kohen cannot finish the rest of the service, the initial service of slaughter should not be done by him.

Beis Halevi explains that while it is true that a nonkohen may slaughter a sacrificial animal, this remains an elective activity for him, and he is not permitted to volunteer to do so on Shabbos. The obligation to slaughter the sacrificial animal is only upon the kohen, and only he may do so on Shabbos.

Others (see חזון איש סי' קל"ד לדף יג:) explain that Rashi holds that the non-kohen is permitted to slaughter the sacrificial animal, and not only is he not in violation of זרות, he is also not in violation of Shabbos. This is a permitted act. The Gemara means that being that the slaughter may be performed by the non-kohen, this cannot be the case of איסור חל על איסור, as the non-kohen is not in violation of זרות or of Shabbos. ■

REVIEW and Remember

1. How is it possible for the two prohibitions of a non-kohen performing service in the Beis HaMikdash to occur simultaneously?
2. What is the point of dispute between R' Chiya and Bar Kappara according to the Gemara's conclusion?
3. What type of service must a non-kohen perform to become liable for two prohibitions?
4. What is the difference between the words החליפו and הוחלפו?

HALACHAH Highlight

Arriving in the Diaspora on the second day of Yom Tov

כגון דאייתי שתי שערות בשבת דהויא להו זרות ושבת בהדי הדדי
For example, if he produced two hairs on Shabbos so that the prohibition of a non-kohen serving and Shabbos came into existence simultaneously

Shulchan Aruch¹ rules that if a person living in Eretz Yisroel decides to move to the Diaspora he retains the practice of observing only one day of Yom Tov until he reaches a city in the Diaspora. Once he reaches a city in the Diaspora he loses his status of one who lives in Eretz Yisroel and immediately adopts the practice of observing two days of Yom Tov. Rav Betzael Stern², the B'tzeil Hachochma, was asked to rule on a case of a person who is moving to the Diaspora but will not arrive until the middle of the second day of Yom Tov. On the one hand one could say that when he arrives at his destination he must adopt their customs and observe the remainder of the day as a Yom Tov, e.g. he will daven the Yom Tov davening and must recite havdalah at the end of the day. On the other hand, one could say that since as the second day of Yom Tov began he was ben Eretz Yisrael and thus not obligated to observe that day as Yom

Tov, it is not possible in the middle of the day to transform the day into Yom Tov and he continues to follow the customs of Eretz Yisrael until the end of the day.

B'tzeil Hachochma cites our Gemara as proof that the sanctity of Yom Tov could begin in the middle of the day. Our Gemara relates that if a child matures on Shabbos it is possible for the prohibition against a non-kohen serving in the Beis Hamikdash and the prohibition against melachah to begin simultaneously. This clearly indicates that the obligation for this child to observe Shabbos begins in the middle of Shabbos. He then proceeds to write that perhaps our Gemara is not a definitive proof since in this case, even as a child, there was some element of an obligation to observe Shabbos when it began, as opposed to the case in question where there was no obligation on this person whatsoever to begin observing the second day of Yom Tov when it began.

After a thorough analysis of the issues he concluded that he should observe the halachos of the second day of Yom Tov when he arrives at his destination. Although he details the relevant halachos that apply he writes that, due to many halachic considerations, one should avoid making plans that would involve arriving in the Diaspora in the middle of the second day of Yom Tov. ■

1. שו"ע או"ח סי' תצ"ו סעי' ג'

2. שו"ת בצל החכמה ח"א סי' נ"ב ■

STORIES Off the Daf

Avodah on Shabbos

זר ששימש בשבת

According to everyone, a regular Yisroel who performed the avodah on Shabbos is liable for both the death penalty for having purposefully violated the Shabbos, as well as a Chatas, if he did it unintentionally. The argument is only over whether there is a further liability for having performed the avodah illegitimately at all or not.

The Chofetz Chaim, zt"l, wrote that profaning Shabbos can even disrupt the many segulos that the Sages say are the result of doing good things. For example, one who gives ma'aser but is not shomer Shabbos should not expect the ma'aser to enrich him. This

is like a man who ate a balanced and nutritious meal but then followed it up with a dose of poison! We all understand that although nutritious food generally makes one healthy, the meal will not neutralize the effect of the poison in any way!

One time, there was a big gathering of Rabbonim in Saint Petersburg which the Chofetz Chaim attended. While there, he was visited by a group of wealthy businessmen, who came to him seeking a blessing.

One of the visitors was not actually observant, but he was so profoundly moved by the meeting that he gave the Chofetz Chaim a huge sum of money for his yeshiva in Radin.

The Gadol clasped the donor's hand in his and said, "Ay! Such a precious hand which gave such a generous gift to tzedakah! What a pity that it per-

petrates chilul Shabbos!"

As he spoke these words, the Gadol started to weep bitterly, all the while holding tightly to the hand of the gevir.

The words uttered by the Chofetz Chaim shook the man at his foundations. He burst into tears and pleaded. "Rebbe, from now on I will keep Shabbos! But please allow me to violate it just this week. I have some pressing business."

The Chofetz Chaim responded gently, "My dear child! The Shabbos is not mine that I can give you permission to violate it for monetary gain. The Shabbos belongs to Hashem, and we must keep it no matter how much money we stand to lose."

From that moment, the businessman was a Shomer Shabbos! ■

