

## OVERVIEW of the Daf

### 1) Something derived from a heikesh (cont.)

The Gemara inquires whether something derived from a heikesh could teach about another thing through a kal vachomer.

R' Yirmiyah attempts to resolve this inquiry but his suggestion is rejected.

### 2) North (cont.)

The Gemara suggests that the Torah could have instructed the requirement that the korban service be done to the north by only two of the three korbanos (olah, chattas and asham).

It is demonstrated that any one of these korbanos could not be derived from the other two.

### 3) Something derived from a gezeirah shavah

The Gemara inquires whether something derived from a gezeirah shavah could teach about something else through a heikesh.

R' Pappa suggests that this method of exegesis is allowed.

Mar Zutra the son of R' Mari unsuccessfully challenges this proof.

The Gemara inquires whether something derived from a gezeirah shavah could teach about something else through a gezeirah shavah.

Rami bar Chama suggests a resolution to this inquiry but it is rejected.

Rava demonstrates that this is a valid method of exegesis.

The Gemara inquires whether something derived from a gezeirah shavah can teach about something else through a kal vachomer.

After an unsuccessful attempt to resolve this inquiry the Gemara demonstrates that it is a valid method of exegesis.

The Gemara inquires whether something derived from a gezeirah shavah can teach about something else through a bin-

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## REVIEW and Remember

1. Why is it necessary for the Torah to mandate that the service of the olah, chattas, and asham must all be in the north?
2. How is the Kohen Gadol's bull taken to be burned?
3. Why did the Gemara object to the characterization of the term קל וחומר בן קל וחומר?
4. What is the tumah status of a bird that was found to be a tereifah after melikah?

## Distinctive INSIGHT

### Ma'aser funds for a Shelamim and a Todah

למדנו לתודה שבא מן המעשר

The Gemara analyzes several of the methods by which the Torah is expounded, and the rules which determine how these methods can be used. The Gemara asks whether a law which is derived using גזירה שוה can then be applied further to other applications using heikesh (association), קל וחומר (*a fortiori*) or בנין אב.

Rav Pappa brings an example to show that information derived from a gezeirah shava can be used to teach using a heikesh. In reference to a Shelamim offering, we find (Vayikra 7:11-12) that the Torah associates a Shelamim and a Todah. Shelamim itself may be brought from money exchanged for ma'aser, and this is learned using a gezeirah shava between Shelamim and ma'aser. The contexts for these offerings both use the word "שם" (see Devarim 27:7 regarding Shelamim, and Devarim 14:13 regarding ma'aser). Yet, the Gemara is prepared to say that this law of Shelamim, which itself is derived using a גזירה שוה, would now be applied to Todah using a heikesh.

Rashi explains that the case of using ma'aser to fulfill one's commitment to bring a Shelamim is only where the person originally stipulated that he would use ma'aser funds for this purpose. Sefer Rosh HaMizbe'ach explains that Rashi is forced to say this based upon the Gemara in Menachos (81a): If one states, "I will bring a Todah," he must bring it and its loaves from non-consecrated (חולין) money. There, Rashi points out that the original statement of "I will bring..." immediately commits the person to bring the offering and its loaves, and a person may not discharge his personal financial commitments with ma'aser funds.

The underlying issue regarding purchasing an animal for an offering with ma'aser funds is explained in Sefer Mikdash Dovid (10:#3). He notes that there is actually nothing wrong with the offering itself if it is bought with ma'aser money, but the problem is rather with the usage of ma'aser. Ma'aser funds must be used exclusively for food. Every offering has certain parts which are placed upon the altar to be burned, and these parts are therefore not used for human consumption. If not for the series of verses and the lessons of our Gemara which permit ma'aser to be used for a Shelamim and Todah, we would have prohibited it.

According to this explanation, this is not a deficiency in the offering, but rather in the proper usage of ma'aser money. If someone were to buy an offering with ma'aser money, the offering would therefore not be invalid. The Gemara in Menachos (83a) learns from a verse that a chattas may not be brought from ma'aser money, and if it is purchased with these funds, the consecration is not valid. Without the verse to teach us this law, we might have well said that any offering bought with ma'aser funds is valid. ■

# HALACHAH Highlight

## Birkas HaGomel

למדנו לתודה שבא מן המעשר

*It teaches that a Todah could be paid from ma'aser [sheni money]*

The Gemara teaches that one could use ma'aser sheni money to pay for a korban if, according to Rashi<sup>1</sup>, it was stipulated when one made his vow that he would be able to use ma'aser sheni funds. Rosh<sup>2</sup> teaches that Birkas HaGomel was enacted as a replacement for the Todah that was offered during the time of the Beis HaMikdash. Maharam Shik<sup>3</sup> deduces from this that Birkas HaGomel is voluntary rather than obligatory. The Gemara Chagiga (7b) teaches that obligations may not be fulfilled with ma'aser sheni funds. Since one may pay for the Todah from ma'aser sheni funds it must be that the Todah is not obligatory and Birkas HaGomel that was enacted as a replacement for the Todah must also be voluntary rather than obligatory.

Levush<sup>4</sup>, however, maintains that the recitation of Birkas HaGomel could be traced back to Tehillim and as such is categorized as Divrei Kabbalah, on par with the obligation to read Megillas Esther on Purim. Beis Yosef<sup>5</sup> writes that matters that originate from Divrei Kabbalah are similar to Biblical obligations, therefore, if one is uncertain whether he made the beracha of HaGomel he should recite it again based on the principle of ספק דאורייתא לחומרא – when it comes to Biblical uncertainties one must adopt the stringent position. He adds, however, that when reciting the beracha in a circumstance of doubt one should not say God's name or mention His sovereignty (שם ומלכות) since it is the expression of thanks that it is

yan av and the question remains unresolved.

### 4) Something derived from a kal vachomer

The Gemara inquires whether something derived from a kal vachomer can teach about something else through a heikesh.

An unsuccessful attempt to resolve this inquiry is presented and the matter is left unresolved.

The Gemara inquires whether something derived from a kal vachomer can teach about something else through a gezeirah shavah.

The Gemara proves that this is a valid method of exegesis.

The Gemara inquires whether something derived from a kal vachomer can teach about something else through a kal vachomer.

It is demonstrated that this is a valid method of exegesis.

The Gemara inquires whether something derived from a kal vachomer can teach about something else through a binyan av.

The Gemara begins an attempt to resolve this inquiry. ■

important and not the specific structure of the beracha.

Ben Ish Chai<sup>6</sup> writes that since Birkas HaGomel is a replacement for the Todah the beracha should be recited while standing and it should be recited specifically during the day rather than at night. בדיעבד, however, if one recited the beracha at night he has fulfilled his obligation and is not required to repeat the beracha. ■

1. רש"י ד"ה למדנו לתודה.

2. רא"ש ברכות פ"ט סי' ג'.

3. שו"ת מהר"ם שיק או"ח סי' פ"ח.

4. לבוש סי' רי"ט סעי' א'.

5. בית יוסף או"ח סי' תרפ"ו ד"ה אפ"ה.

6. בן איש חי שנה א' פר' עקב אות ג'. ■

# STORIES Off the Daf

## The Korban Todah of the Birkas HaZevach

"אם על תודה..."

The Birkas HaZevach, ז"ל, the rebbe muvhak of the Shach, ז"ל, told of his harrowing experiences at the hands of the Cossacks and the korban todah that he brought after being saved from them.

"During the year תט"ו, there was once again serious trouble with the Cossacks. While I was trying to escape them, one of these barbarians shot an arrow at my foot. Unfortunately, since that mo-

ment I can no longer walk, only limp. Nevertheless, I succeeded in escaping those bloodthirsty murderers, and made my way to Lublin. While I was there I was accosted by another band of killers. Not only did they rob me of every penny I had, including all holy seforim, but after they stole everything they also forced me to lie on the ground and after tying me up, they murdered two of my daughters, לא עלינו. They held me there on the blood-soaked ground, wracked with hunger and thirst, naked and absolutely destitute.

"Many times the murderers took me out to kill me in cold blood as well. Although my neck was secured for a death

blow, Hashem arranged that every time something else saved me. In the end I escaped through nothing short of a miracle and ended up in Nikolsburg, where I was appointed Rosh Yeshivah.

"Since due to the many miracles I experienced, I am certainly obligated to bring a korban todah, I decided to write a long work on kodoshim. Since our sages teach that one who delves in the halachos of korbanos is considered to have brought them, it is only fitting that I learn these halachos and record my findings, since this work will be considered as if I brought a korban todah." ■

1. הקדמה לספר ברכת הזבח ■

