

daf yomi summary

parashat Ki Tetzei 5780

עירובין יא - יז

EDITION: 30

פלפול - POSITIVE OR NEGATIVE?

THANKS TO RABBI AHARON RABI

The Mishna on 11b quotes a disciple of R' Yishmael who stated in front of Rabbi Akiva that Beis Shammai and Beis Hillel agree that either a korah or a lechi would permit carrying in a mavoi less the four amos wide.

On daf 13a the Gemara quotes a Baraisa where R' Akiva to his students says about our Mishna that R' Yishmael never made such a comment, rather it was made solely by the disciple on his own and the halacha follows his disciple. The Gemara immediately notes the contradiction, how can R' Akiva say in the same breath that this statement was never made by R' Yishmael but that is the halacha?

Rav Yehuda answers in the name of Shmuel that R' Akiva said this only to sharpen his students and to encourage them to use their own logic and original reasoning (פלפול).

On Daf 13b the Gemara asks why the halacha doesn't follow R' Meir, and it answers that because R' Meir's colleagues couldn't understand the depth of his reasoning the halacha could not be established like him. R' Meir was able to argue both sides of the case with equal sharpness. In other words, his original reasoning and logic (פלפול) was so deep that his colleagues could not follow it to its depths.

These two sugyas seem to have different views on whether פלפול is something positive or not. On the one hand, R' Akiva encouraged it in his students; on the other hand the Gemara says that we cant pasken like R' Meir because of the depth of his פלפול פל.

We see these opposing views in the writings of the commentators through the generations as well. The Birkay Yosef quoting the Geonim says that most people study the halacha looking for the "bottom line" whilst thinking that the questions and discussions, פלפול, in the Talmud are irrelevant. He sharply criticizes this thinking and says it minimizes the Torah and causes it to be forgotten.

On the other hand, we see that the Rivash criticised many Rabbis for their intense פלפול. He says that whilst with their brilliant logic and original thinking they may be able to squeeze an elephant into the eye of a needle, nevertheless, because of it they arrive at the wrong conclusions and ultimately decide the halacha incorrectly. The

following apocryphal story shows the collective Jewish consciousness certainly believes פלפול sharpens the mind.

At a Shabbat Sheva Brachot for his son, R' Chayim Soloveitchik got into a lively discussion with R' Eliezer Gordon trying to answer R' Akiva Eiger's questions in Shas. A Rabbi from Poland listened in, and every so often would sigh and say, "But what's with the halacha?" He was ignored until the third meal, when R' Chayim asked him what he would rule in the follow case: If someone was cooking a large pot of meat and his non Jewish helper unintentionally put a piece of neveila (non-ritually slaughtered) meat into the pot... Since there where many pieces of meat of different sizes it was impossible to identify the unkosher piece, and it is unknown if there was sixty times the non-kosher meat. May the food be eaten?

The Rabbi answered that according to Torah law, a mixture of two substances of the same kind are nullified one to two (majority) on a Torah level. The rabbinic requirement of sixty does not apply in this case as there is a doubt, so it is KOSHER.

R' Chayim responded that we must assume the meat wasn't salted so it was a mixture of blood and meat that was dropped into the pot, which means that two different types need to be nullified, which does require the 60:1 ratio to be nullified, according to the Torah.

"You are right," the Rabbi said, "it is not kosher." R' Chayim retorted, "But cooked blood is only forbidden rabbinically, so when in doubt we should be lenient."

"Correct," responded the rabbi, "so it is KOSHER."

R' Chayim continued, "But why don't we treat the blood from this non-kosher meat like milk from a non-kosher animal and forbid it on a Torah level?" "Yes indeed," said the Rabbi, "it is not Kosher." R' Chayim continued, "Blood from a neveilah is not prohibited as a piece of meat but only as blood, and it is not like milk that actually comes from a non-kosher animal.

However the blood in this meat was produced but a kosher animal, albeit one that died without a valid shechita. Now that the blood is cooked it is only forbidden rabbinically, which in cases of doubt is permitted, making the mixture kosher."

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THURSDAY 20 AUGUST
THANKS TO HADRAN

עירובין יא

Halachic openings, defined as a **צורת הפתח**, are debated on today's Daf.

The questions about how to define a **צורת הפתח** and it's permissibility regarding a space larger than ten amot is discussed. The conversation continues about what and where does a **צורתה פתח** permit behavior like **כלאים** or carrying on Shabbat, and what does it actually look like? Does it require hinges? Does it have to be strong? Do two **לחי** and one **koreh** simulate an entrance way? Does the crossbeam need to touch the poles? Does a wall just need an opening appearing like a **צורת הפתח**? Does requiring a mezuzah define it as a door frame?

These are some of the many questions presented and debated. Amongst all of this halachic discourse the Rabbis try to determine the "real" answer through actual stories.

One incident involved an individual who created a doorway from poles and vines, and was permitted by the Rabbis to grow **כלאים**. Can the "walls" of **כלאים** therefore apply to Shabbat? Is this parallel conclusive?

The second, more fascinating story is about Rav Nachman, who created a doorway for the **ריש גלותא**/exilarch according to his own opinion and definitions of a doorway. The **צורת הפתח** was later destroyed by Rav Sheshet, and he was subsequently imprisoned because of his actions.

After Rav Sheshet was freed he learned why Rav Nachman's opinion was indeed correct. For fear of his life he begs the Rabbis not to tell the **ריש גלותא** the error of his ways. This story teaches us about the political power of the **ריש גלותא** during that time period.

More importantly, Chazal are highlighting the danger of being absorbed and "blinded" by an opinion and view point. Rav Sheshet, in fact, was blind. Perhaps his actual blindness hindered him from understanding the practical in the real world versus the theoretical world of the Beit Midrash.

Despite the Rashbam describing blind scholars as enlightened "מאורי עינים", and not to diminish Rav Sheshet's greatness, the Daf seems to be teaching us the danger of being narrow minded without understanding, considering and "seeing" other perspectives. Rav Sheshet's blindness was also a tremendous asset to his **רוח הקודש**.

In this story, perhaps his closeness to G-d contributed to his distance from the physical world and his straightforward approach to Halacha. Unlike Rav Sheshet, Rav Nachman publicly apologizes a few dapim later when he re-learns and understands the Halacha differently, placing the responsibility of the community before his own ego.

Rav Nachman was known for not having an ego, and the very reason Yalta, the daughter of the **ריש גלותא** marries him. Rav Nachman portrays for us true courage and leadership. The Talmud is full of multiple attempts to discover the Emet, objective reality. The ideas and opinions expressed by the Tanaim and Amoraim are an intellectual search for the intent of the words of the eternal Torah.

For example, we learn on today's Daf, that both **בית שמאי** and

בית הלל are worthy of being right.

They both represent an honest quest of discovering the intent of the **הקב"ה** without personal agenda or human preconceptions. Today, it is our challenge to apply these same methodologies in our quest for **תמא** and pursuit of the same objectives shared by the Tanaim and Amoraim.

FRIDAY 21 AUGUST

THANKS TO DANIEL STRAUCHLER

עירובין יב

Eiruv 12 Daf 12 brings a Beraita that discusses case of a wall of a chatzer being breached by sea water. If the breach is greater than 10 amot long, water can't be taken from the chatzer. The Gemara infers that one can still carry in the chatzer, even though it's a chatzer that is breached to a **makom ha'assur** (earlier in the Daf, the Gemara says that according to Rebbi, in such a case this means a pole on each side, and according to R' Yochanon as explained by R' Zeira either a pole on each side or a board of four tefachim wide on one side), and explains that there are "gedudei" and therefore one can still carry.

Rashi explains that "gedudei" are underwater walls, 10 tefachim in height. Tosafot asks why carrying is allowed but drawing water isn't?

Tosafot interprets for Rashi that filling up from water really means taking from the chatzer into the house, and carrying means within chatzer. The underwater walls can be seen from chatzer and therefore one can carry, but one can't see the underwater walls from the house and therefore can't carry into the house.

Rivan explains that the wall was broken before Shabbat, but water only came in on Shabbat; with the breach in the wall but no water carrying was allowed at the onset of Shabbat. Rashbam and Rabeinu Tam disagree and say that the "gedudei" are not underwater, but rather separate the chatzer from the water.

Sar Mikutzi explains that carrying is only allowed if the water recedes and the walls can be seen (these walls weren't actually made for the water, as opposed to a different case where underwater walls are effective).

SHABBAT 22 AUGUST

THANKS TO MARC TEMERLIES

עירובין יג

Eruvin Daf 13 - Rabbi Akiva praises Rabbi Meir's original logic Daf 13 continues discussions based on the Mishna on Daf 11, which considers whether or not an entrance (mavoi) needs both a lechi (sidepost) and a korah (crossbeam) in order to permit carrying inside.

In the Mishna, there is a hidden machloket between the Tanna Kama and Rabbi Akiva, in a case where the size of the entrance is less than 4 tefachim wide: does this need a lechi, or a korah, or not, and who holds which opinion? Rabbi Akiva said to one of his talmidim (the Mishna refers to "Talmid echad", who is identified later as Rebbi Meir), who had explained (in the name of Rabbi Yishmael) that the underlying machloket between Beit Shammai and Beit Hillel is only in respect of an entrance more than 4 amot, but in a case of less than 4 amot, everyone agrees that only a lechi or a korah (but not both) is required.

Rabbi Akiva said to his student, Rebbi Meir, that Rabbi Yishmael

could never have said this, and that Beit Shammai argue that a lechi is required even for less than 4 tefachim, but nonetheless the halacha might still be as you say. The reason why Rabbi Akiva said this in this way is in order to encourage his students to come up with their own rationale / logic for deriving the halacha.

SUNDAY 23 AUGUST

THANKS TO RAPHY GOLDBERG

עירובין יד

Today's Daf - Eruvin 14a. I saw the following discussion years ago, and it relates here to the pasuk quoted to support our Mishna that a circle three round is one across (which is obviously not exactly π).

In describing a large water basin, 2 Chronicles 4:2 reads, "Also he made a molten sea of ten cubits from brim to brim, round in compass, and five cubits the height thereof; and a line of thirty cubits did compass it round about."

A similar verse appears at 1 Kings 7:23. Critics point out that this implies that π is 3, and in 1983 about 100 professors and students at Emporia State University in Kansas founded an Institute of Pi Research to lobby (wryly) for adopting this new value in place of the awkward 3.14159 ... "To think that G-d, in His infinite wisdom, would create something as messy as this is a monstrous thought," medieval historian Samuel Dicks told the Kansas City Times. "I think we deserve to be taken as seriously as the creationists." "If the Bible is right in biology, it's right in math," added economic historian Loren Pennington.

But writing in the Mathematical Gazette in 1985, M.D. Stern of Manchester Polytechnic noted (also wryly) that the word above translated as "line" is transliterated qwh (קוה), but read as qw (קו). Further, the ancient Greeks and Jews used letters to denote numbers, with the letters q, w, and h taking the numerical values 100, 6, and 5. "Thus the word translated as "line" in its written form has a numerical value of 111, whereas as when read, the value is 106.

If we take the ratio of these numbers as a correcting factor for the apparent value of π as 3 and calculate $3 \times (111/106)$, we obtain 3.141509 to 7 significant figures. This differs from the true value of π by less than 10^{-4} which is remarkable. In view of this, it might be suggested that this peculiar spelling is of more significance than a cursory reading might have suggested."

Essentially the pasuk quoted in today's Daf has a kri kesiv that hits π with great accuracy.

MONDAY 24 AUGUST

THANKS

עירובין טו

Adapted from dafdigest.org On today's daf we learn about the machloket surrounding a lechi that is standing on its own, ie not specifically erected for the purpose of being a lechi. This is one of the 6 cases where we rule against Rava and in favour of Abaye, concluding that a lechi that is standing on its and not specifically designated, is considered a valid lechi.

However, despite this ruling, the gemara notes that both Abaya and Rava agree that this lechi had to have been relied upon as a lechi before shabbat. For example, take a wooden post that fell into mud by itself on Friday and it conforms to all the requisite sizes of a valid

lechi. IF there was another lechi next to it, which was intentional and designated as a lechi, then it is clear one wouldn't rely on this additional post that fell into a valid lechi position. This is even if the intentional lechi were to fall, the unintentional one was never relied upon before shabbat so cannot be valid.

If of course one did rely on this unintentional lechi before shabbat, say in a case where the intentional one fell before shabbat, then Abaye would say it is valid. The case of an unintentional lechi, does not apply to a korah as a korah acts as a "heker" so its very fundamental purpose demands that it is placed intentionally.

TUESDAY 25 AUGUST

THANKS TO JONATHAN GELLIS

עירובין טז

The Mishna on Daf bet speaks about both vertical and horizontal mechitzot. The Mishna discusses a caravan camped in a valley they can use three ropes, with a vertical distance of no more than 10 tefachim.

IF sticks on the ground the distance is three tefachim. Chachamim here say that since this happened to traveling parties whose journeys took place with a Shabbat in the middle, these heterim always apply. The Gemara then discusses the requirements for vertical and horizontal mechitzot.

The Gemara even discusses a hanging mechitzah, but that is only near water. The main discussion is about a temporary wall. Rav Yehuda says all leniencies regarding a temporary mechitzah only allow an individual to move the distance of Beis Sa'atayim, the area of two seah. Rav Nachman says only a caravan of three or more people can have unlimited space.

The Gemara concludes like the Chachamim, saying the halacha is the same for an individual or a caravan, where they can make a temporary mechitzah with as much space as needed.

WEDNESDAY 26 AUGUST

THANKS TO DR YARDAENA OSBAND - TALKING TALMUD PODCAST

עירובין יז

Our Daf discusses a series of laws from which soldiers are exempt. During the Gemara's discussion a tosefta is brought:

יהודה בן תימא אומר אף חונין בכל מקום ובמקום שנהרגים שם נקברים

"Rabbi Yehuda ben Teima says: They may also encamp in any place, and in the place where they were killed, there they are buried."

The Gemara then asks, why did the tosefta need to state this halacha? Burying a soldier who is not near family or community is a Met Mitzvah and obviously should be buried where the body is found because "ומת מצוה קונה מקומו", "a Met Mitzvah acquires its place", meaning that the imperative to bury a body that has no one to bury it is so important that the body is buried where it is found no matter if it is in someone's property.

The source of Met Mitzvah is mentioned in a Gemara in Megillah 3b:

מדתניא מבטלין תלמוד תורה להוצאת מת ולהכנסת כלה עבודה ומת מצוה מת מצוה עדיף (במדבר ו, ז) מולאחותו

"This is derived from that which is taught in a Baraita: One cancels his Torah study to bring out a corpse for burial, and to join a wedding

procession and bring in the bride. Similarly, if one must choose between the Temple service and tending to a met mitzva, tending to the Met Mitzva takes precedence, based upon the halacha derived from the term "or for his sister" (Numbers 6:7)." The source for Met Mitzvah is from the verse in Bamidbar 6:7 which discusses that a Nazir may not become tamei by attending to the burial of his relatives:

לאביו ולאמו ולאחיו ולאחותו לא יטמא להם במתם כי נזר אלהיו על ראשו,

"Even if his father or mother, or his brother or sister should die, he must not defile himself for them, since hair set apart for his God is upon his head." The Gemara explains further down on Megillah 3b that this verse teaches when this verse might mistakenly be understood to mean that under no circumstances may a Nazir make themselves tamei for met. By limiting who a Nazir may not make himself tamei for, we learn that he can become tamei for a Met Mitzvah:

אמרת לא יטמא יכול כשם שאינו מיטמא לאחותו כך אינו מיטמא למת מצוה ת"ל ולאחותו לאחותו הוא דאינו מיטמא אבל מיטמא למת מצוה

"You said: He shall not become impure; the death of his relative will not override so significant a mitzvah from the Torah. One might have thought: Just as he does not become impure for his sister, so he does not become impure for a corpse with no one to bury it [Met Mitzvah].

The verse states: "Or for his sister"; he may not become impure for his sister, as someone else can attend to her burial, but he does become impure for a Met Mitzvah." The principal of Met Mitzvah is one that demonstrates that chesed is a priority to the Halachic system of Law.