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Menachos Daf 12

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Mishna

If one performs the *kemitzah* on a *minchah* offering with the intention to eat its remainder outside of its place, or an olive’s bulk of its remainder outside, to burn its *komeitz* outside of its place, or an olive’s bulk of its *komeitz* outside, or to burn its *levonah* outside, it is invalid, but it is not subject to *kares* (if eaten; for only *piggul* – a “beyond its time” intent is subject to *kares*). If his intention was to eat its remainder on the next day, or an olive’s bulk of its remainder on the next day, to burn its *komeitz* on the next day, or an olive’s bulk of its *komeitz* on the next day, or to burn its *levonah* on the next day, it is *piggul*, and it is subject to *kares*. This is the general rule: Whoever takes the *komeitz*, places it in the sacred utensil, brings it to the altar, or burns it with an intention to eat something which is meant to be eaten, or with the intention to burn something on the altar which is meant to be burned; if he intended to do these things outside of its place, it is invalid, but it is not subject to *kares*. If his intention was to do so beyond its time, it is invalid and it is subject to *kares*. This is as long as the part of the sacrifice that permits it (*the komeitz*) is done correctly.

What is a case where the permitter was done correctly? If a person did the *kemitzah* quietly (i.e. without any improper intent), and then he put it in the vessel, brought it towards the altar, and burned it with a “beyond its time” intent; or he did the *kemitzah* with a “beyond its time” intent and then he put it in the vessel, brought it towards the altar, and burned it in silence; or he did everything with a “beyond its time” intent; - these are cases where the permitter was offered correctly.

What is a case where the permitter was not offered correctly? If he did the *kemitzah* with an “outside of its place” intent, and then he put it in the vessel, brought it towards the altar, and burned it with a “beyond its time” intent; or he did the *kemitzah* with a “beyond its time” intent and then he put it in the vessel, brought it towards the altar, and burned it with an “outside of its place” intent; or if he did either the *kemitzah*, putting it in the vessel, bringing it, and burning it with an “outside of its place” intent (and he did the other three services with a “beyond its time” intent); - these are cases where the permitter was not offered correctly.

[The Mishna mentions another case where it does not become *piggul*.] If by a sinner’s *minchah* or a *sotah*’s *minchah*, the *kemitzah* was performed not for their own sake, and then he put it in the vessel, brought it towards the altar, and burned it with a “beyond its time” intent; or if the *kemitzah* was performed with a “beyond its time” intent, and then he put it in the vessel, brought it towards the altar, and burned it not for their own sake; or if he did either the *kemitzah*, putting it in the vessel, bringing it, and burning it not for their own sake (and he did the other three services with a “beyond its time” intent); - these are cases where the permitter was not offered correctly.

If a *Kohen* (did one service, such as *kemitzah*) had intention to consume a *k’zayis* (an olive’s bulk) outside its place and he intended to consume a *k’zayis* beyond its time, or he had intention to consume a *k’zayis* beyond its time and he intended to consume a *k’zayis* outside its place, or he had intention to consume half of a *k’zayis* outside its place and

he intended to consume a half of a *k'zayis* beyond its time, or he had intention to consume half of a *k'zayis* beyond its time and he intended to consume half of a *k'zayis* outside its place, the sacrifice is invalid, but one who eats from it does not receive *kares*.

Rabbi Yehudah says: The rule is that if the intention to consume it beyond its time preceded his intention to consume it outside of its place, it is invalid and one who consumes it receives *kares*. If his intention to consume it outside of its place preceded his intention to consume it beyond its time, it is invalid, but one who consumes it does not receive *kares*. The *Chachamim* say: In both cases it is invalid and one who consumes it does not receive *kares*. (11b – 12a)

Burning of the Komeitz

They inquired: According to the opinion that holds regarding remnants that were reduced between the *kemitzah* and the burning, one may still burn the *komeitz* for them, and we have established that those remnants are forbidden for consumption, does burning the *komeitz* with an improper intention render the remnants *piggul* (for perhaps it is not *piggul*, for the remainder cannot be eaten), and can it remove its status of being subject to *me'ilah* (for the burning would have permitted the remainder to the Kohanim if not for the fact that it was deficient)?

Rav Huna answered: Even according to Rabbi Akiva who is of the opinion that the throwing of the blood of a sacrifice that went out of the Courtyard removes its status of being subject to *me'ilah*, this is specifically regarding something that merely went out, as it is still extant. It is only invalid because of a different factor (namely that it left its proper location). However, if part of the sacrifice is actually missing (as in the case of these remnants), where there is an intrinsic disqualification, even Rabbi Akiva would agree that the burning of this *komeitz* would not be effective to take it away from its *me'ilah* status.

Rava said: On the contrary! Even according to Rabbi Eliezer who says that the throwing of the blood of a sacrifice that went out of the Courtyard does not remove its status of being subject to *me'ilah*, this is specifically regarding something that left the Courtyard, for now it is not in the Courtyard (and the throwing of the blood can have no effect on it). However, being that the remnants of the *minchah* are in the Courtyard, the burning of this *komeitz* should be effective to take it away from its *me'ilah* status.

Rava asked: How do I know this is correct? The *Mishna* states: If someone does *kemitzah* with intent to eat its remainder, or a *k'zayis* of them, outside the allotted area etc. When Rabbi Chiya taught a similar *braisa*, his text did not include a case where only a *k'zayis* was involved in any of these cases. Why? It must be that if one involves a case of a *k'zayis*, he is dealing with a case where some of the remainder was missing, and there is only a *k'zayis* left from the remainder. Rabbi Chiya did not discuss this case regarding putting it in a vessel, bringing it to the altar, and burning it, because he would have had to discuss this case regarding a *k'zayis* of the *kemitzah* as well. [If one has an improper thought regarding the *komeitz* when some of the *komeitz* is already missing, it does not render the sacrifice *piggul*.] Being that he did not discuss a case of a *k'zayis* of the *kemitzah*, he also did not discuss a case where the thought was regarding a *k'zayis* of the remainder. However, all of these other cases (besides the case where one's intent is about a *k'zayis* of the *komeitz* when part of the *komeitz* is missing) would indeed have had the result stated by the end of the *Mishna*, that the sacrifices are *piggul* and it is subject to *kares*. This proves Rava's point that even though part of the remainder is missing, it is possible for them to become *piggul* and remove them from their status of being subject to *me'ilah*.

Abaye answered: This is not a proof, as Rabbi Chiya's *braisa* is in accordance with Rabbi Elozar who holds that burning must involve the entire *minchah* (that is meant to be burned). This is as the *Mishna* states: With regard to the *kometz*, the

levonah, the incense, the *minchah* of *Kohanim*, the *minchah* of the anointed *Kohen*, and the libation *minchah* offering, if one offered up as much as an olive's volume of one of these outside the Temple, he is liable. But Rabbi Eliezer exempts him unless he offers them up in their entirety. [*Rabbi Eliezer holds that he is not liable, since it was done with a portion of the mattir only, for it is not regarded as a service unless he completes the entire service.*] Accordingly, being that Rabbi Chiya could not say "or a *k'zayis*" regarding the *kemitzah*, he also did not say "or a *k'zayis*" regarding the remainder.

The *Gemora* asks: If this is according to Rabbi Elozar, why did Rabbi Chiya only say he intended to do the *kemitzah* etc.? He should have said the *kemitzah* and *levonah*!? This is as the *Mishna* states: If a person offered either the *komeitz* or *levonah* outside the Temple, he is liable. Rabbi Elozar states: He is exempt unless he offers the second part as well.

The *Gemora* answers: Rabbi Chiya's statement was necessary for the *kemitzah* of a sinner's *minchah* (which does not have *levonah*).

The *Gemora* asks: Would the *Tanna* say this just to teach us something that only applies to a sinner's *minchah*?

The *Gemora* answers: Yes, it would. Indeed, when Rav Dimi arrived, he said in the name of Rabbi Elozar (an *Amora*) that this is referring to the *komeitz* of a sinner's *minchah*, and is according to Rabbi Elozar (the *Tanna*).

Rava retracted his position. He understood that this is as the *braisa* states (regarding the *lechem ha'panim*): It is *kodesh kodashim*. This verse teaches that if one of the breads was broken they are all invalid (and must be burned). This is as opposed to a case where one of the loaves was brought outside the Courtyard, in which case they would still be valid. [This shows that there is a difference between being broken, where the sacrifice becomes totally invalid, and being taken out of the Courtyard.] Who is the one who holds that throwing blood after part of the sacrifice leaves the

Courtyard removes it from *me'ilah*? It is Rabbi Akiva, and even so he says that if the loaf is broken, the sacrifice is invalid.

Abaye asked: Does the *braisa* say that if it went out it would be valid? Perhaps it means that if it became *tamei*, it would be valid? The reason for this would be because the *tzitz* would atone for the impurity. However, if it went out, perhaps it would not be valid. Perhaps this is *braisa* is according to the opinion of Rabbi Eliezer, who holds that throwing the blood does not remove the status of *me'ilah* from a sacrifice that has left the Courtyard. He would have stated a case where the loaf left the Courtyard as well. The reason why he stated a case where it broke is to teach that even if it broken but it is still extant in the Courtyard, it is invalid, and burning does not help it. However, according to Rabbi Akiva who says that the throwing does help, it is possible that even if it is missing, burning will help remove the status of *me'ilah*. (12a – 12b)

Mishna

If his intention was to eat something which measured half the size of an olive and also to burn something which measured half the size of an olive, it is valid, for we do not combine an intention about eating with one about burning. (12b)

Combinations

The *Mishna* says that if one planned on eating half a *zayis* and sacrificing half a *zayis*, this does not combine. The *Gemora* infers that if one planned to eat that second half *zayis*, instead of sacrificing it, it would be *piggul*, even though the half *zayis* that would be sacrificed is not normally eaten.

The *Gemora* says that this is inconsistent with the earlier section of the *Mishna*, which said that only intent to eat something "which is eaten" makes a sacrifice *piggul*.



Rabbi Yirmiyah says that the latter part of the *Mishna* is Rabbi Eliezer, who says consumption of the Altar and of a person are interchangeable.

The *Gemora* cites a *Mishna* about one who plans to eat something not normally eaten, or sacrifice something that is not normally sacrificed at the wrong time. The Sages say it is valid, as these are not valid forms of consumption, while Rabbi Eliezer says it is invalid, since the types of consumption are interchangeable.

Abaye says that this latter section can also follow the Sages, since the *Mishna* does not mean to infer that if one planned to eat the half *zayis* that would have been sacrificed, it would be *piggul*.

The *Gemora* attempts to explain what this section of the *Mishna* is teaching. It cannot be teaching that if one would plan to eat a second half *zayis* of the remainder (*which is normally eaten*), we already know that from the start of the *Mishna*, which says that if one planned on half a *zayis* at the wrong time and half a *zayis* in the wrong place, it is invalid. It cannot be teaching that eating and sacrificing do not combine, since we would know that from the earlier statement of the *Mishna* that planning to eat half a *zayis* of the remainder (*which is normally eaten*) and planning to eat half a *zayis* of sacrificed items (*which are not normally eaten*), does not make it *piggul*. If planning to eat these two items does not combine, even though they are both plans to eat, surely planning to eat one half and sacrifice one half should not combine, since they are two different actions.

The *Gemora* says that we would not know this from the first statement, since we may have thought that eating sacrificed items is not a valid act, and therefore cannot combine, but sacrificing these items, which is a normative act, may have combined. Therefore, the *Mishna* had to teach that they do not combine, and not to teach any other implications. (12b – 13a)

INSIGHTS TO THE DAF

Those who come late to the Shabbos meal observe lechem mishneh with slices

HaGaon Rav Itzele of Volozhin zt"l, the son of HaGaon Rav Chayim zt"l, followed an interesting custom. If a guest came late to a Shabbos meal and the whole *chalos* were already cut, he would get two slices to observe *lechem mishneh*! His son-in-law, HaGaon Rav Naftali Tzvi Yehudah Berlin zt"l, who headed the Volozhin Yeshivah after him, offered a long reply (Responsa *Meishiv Davar*, I 21) in response to a request of his son to explain the custom of his revered grandfather.

Is a slice called "a bread"? We shall not describe all the details of the reply in this article but shall relate to a principle question that arises, according to the Netziv, from the Rishonim: namely, is a slice (or part of a loaf) called *lechem* - "a bread" and can therefore two slices be used as *lechem mishneh* (a double bread) or does the term require a whole loaf? Apparently, there is solid proof from a *braisa* cited in our *sugya* that "a bread" is only a whole loaf, as follows.

Our *Gemora* cites a *braisa* which says "Holy of holies it is (*hu*)" – that if one of them was sliced, all of its *chalos* are disqualified". *Chazal* interpreted from this verse (Vayikra 24:9) that if one of the 12 loaves of the showbread became sliced open, all of them are disqualified. Do we need any clearer proof that opened bread is not considered "a bread? After all, if a slice is "a bread," what difference is there if the showbread became sliced? It is therefore evident that slicing the loaf removes its definition as the showbread.

Two problems of which the solution of each arouses the other: Still, the Netziv does away with this proof. After all, even if a slice is called "a bread," we should remember two special rules about the showbread: (1) 12 loaves must be offered – no more and no less; (2) each loaf must weigh two 'esronim. Therefore, if a slice is considered "a bread," we have 13 loaves and it is forbidden to add to the number of

loaves. But if we try to solve this problem by removing the extra slice, we create a new problem, as the remaining slice will not have the required weight.

There is no proof from our *sugya*. However, another *braisa* (Menachos 46a) explains that if a *todah* loaf (a loaf that accompanies a *todah*) became sliced, it is disqualified! As the exact number of the loaves commanded by the Torah – 40 – does not prevent the fulfillment of the *mitzvah* after the fact (Rambam, *Hilchos Ma'aseh HaKorbanos*, 9:22; see Menachos 76a-b), even if the opened loaf is considered two breads it should be kosher *bedi'eved*. Hence we must admit that a sliced *todah* loaf is disqualified because a slice is not called “a bread.”

Still, if we examine the halachos of separating *chalah* we find that a slice is “a bread” as the *mitzvah* of separating *chalah* must be observed with *lechem* - “a bread” (Bemidbar 15:19). There is a *mitzvah* to separate *chalah* also from a basket containing **slices of bread!** (Though the dough did not suffice for the obligation of *chalah*, the slices become obligated in *chalah* once they are gathered in one basket). We thus see that a slice is considered *lechem* (and thus he proved from the Rishonim).

In the light of this contradiction, the Netziv wants to innovate that if bread appeared before us whole and was sliced, its slices are not considered “a bread.” But a slice that appeared before us as such may be called “a bread.” Therefore, a *todah* loaf that became sliced is not a loaf as it already appeared to us as a whole loaf. On the other hand, a person who is offered slices regards each of them as “a bread” and must therefore separate *chalah* from them. That is the reason for Rabbi Itzele’s custom to offer two slices to those who come late as they see the slices in their present state and for them they are “a double bread.”

Indeed, though everyone must see to bless on two whole loaves at the Shabbos meal, as explained in *Shulchan 'Aruch* (O.C. 274:1), *'Aroch HaShulchan* asserts that someone who

doesn't have such can use two slices for *lechem mishneh* as the need for whole loaves stems from the obligation to observe the *mitzvah* honorably but **in an emergency** *lechem mishneh* may be observed with slices.

Lechem mishneh with biscuits: The *poskim* disagreed as to if someone who makes *kiddush* on Shabbos morning and eats biscuits or cake instead of bread must make a *brachah* on two biscuits or cakes to observe *lechem mishneh* (see *Kitzur Shulchan 'Aruch* 77:17, etc.). HaGaon Rav Yitzchak Weiss zt”l (Responsa *Minchas Yitzchak*, III, 13) writes that even if someone wants to be strict, he shouldn't care about two **whole** cakes as we can surely rely on the Netziv's opinion, that baked goods that appear before us sliced are considered “a bread” (and see *ibid*, that someone who wants to be strict and use whole cakes should do so at home and not in front of others).

DAILY MASHAL

Too Much Oil

The *Gemora* in Menachos 86b cites a special verse to teach us that though a *minchah* does not need refined olive oil, it is kosher for it. Why would we think that better oil would be disqualified? An interesting explanation was conveyed in the name of the *Sfas Emes* zt”l: We could say that as there is no need for such pure oil, it is forbidden to bring it as our *Mishna* explains: “If he put too much oil or too little oil (on the *minchah*) ... it is disqualified.” Therefore, as pure olive oil is more refined and contains less residue, we would hesitate to use it lest it be considered as more oil than the amount that the Torah determined for a *minchah* (*Ma'yanah shel Torah*).