

Daf Notes

Insights into the Daily Daf

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Menachos Daf 16

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Daily Daf

Mishna

If the *Kohen* had a *piggul* intention at the burning of the *kometz* (the scoopful of flour) but not at the burning of the *levonah* (frankincense), or at the burning of the *levonah* but not at the burning of the *kometz*, Rabbi Meir says that it is *piggul* (even though the *kometz* and *levonah* together permit the *minchah* for consumption), and one is liable to *kares* on its account (if eaten), but the Sages say that it is not subject to *kares* unless the *Kohen* has a *piggul* intention for the whole permitter (which would be during the burning of the *kometz* and the *levonah*). The Sages, however, agree with Rabbi Meir that, if it was a sinner's *minchah* offering, or that of a *sotah's minchah* (which do not have *levonah*), and he expressed a *piggul* intention during the burning of the *komeitz*, it is *piggul* and it is subject to the penalty of *kares*, for the *komeitz* is the entire permitter.

If he slaughtered one of the lambs intending to eat the two loaves on the next day, or if he burned one of the spoons of *levonah* intending to eat the two arrangements of the *lechem hapanim* on the next day, Rabbi Meir says: It is *piggul* and it is subject to the penalty of *kares*; but the Sages say: It is not subject to *kares* unless he expressed a *piggul* intention during the service of the entire permitter.

If he slaughtered one of the lambs intending to eat part of it on the next day, that lamb is *piggul* but the other lamb is valid. If, however, he intended to eat from the other lamb on the next day, both are valid. (16a)

According to his Initial Intent

Rav said: The dispute is only where he offered the *komeitz* in silence and then the *levonah* with a *piggul* intention, but where he offered the *komeitz* with a *piggul* intention and then the *levonah* in silence, all agree that it is *piggul*, for everything that one does in silence, he does in accordance with his first intent. But Shmuel said: There is a dispute in that case as well.

Rava was once sitting and related this statement of Rav, when Rav Acha bar Rav Huna raised an objection from the following *braisa*: The *Gemora* asks on Rish Lakish from the following *braisa*: When is it said (that a *minchah* offering becomes *piggul* when only the *kometz* was performed with a *piggul* intention but not the *levonah*)? It is in the case when he was making the *kemitzah*, when he was placing the *kometz* in the sacred vessel, and when he was bringing the *kometz* to the Altar (for these services apply only to the *kometz* and not to the *levonah*); however, during the burning of the *kometz* and the *levonah*, if he offers the *kometz* with a *piggul* intention and the *levonah* in silence, or if he

offers the *kometz* in silence and the *levonah* with a *piggul* intention, Rabbi Meir maintains that it is *piggul*, and it is subject to *kares*; while the Sages rule that it is not subject to *kares* unless he has a *piggul* intention in respect of the whole *mattir*. Now it states that the Sages disagree in the case where he offered the *kometz* with a *piggul* intention and the *levonah* in silence (*and this can only be because he holds that piggul cannot be effective during part of a permitter – and we do not say that the second service is performed with the first intent*)!?

The *Gemora* answers: The *braisa* means that he already offered the *levonah* in silence (*and then he offered the kometz with a piggul intention*).

The *Gemora* rejects this for two reasons: One because that would be identical to the first case, and secondly – because a different *braisa* clearly states that afterwards, he placed the *levonah* in silence!

Rav Chanina explained that the *braisa* is referring to a case where there were two people.

The *Gemora* asks on Rav from a different *braisa*: *who maintains that rabbi Meir's opinion is that one who does something is doing it based on his original intent*) from the following *braisa*: When are these words (*that one can effect piggul with one application*) true? It is only by blood that is applied on the Outer Altar (*for one application provides atonement; and even the Sages would agree that piggul is effective*); however, blood that is applied on the Inner Altar, such as the forty-three applications performed on *Yom Kippur* (*from the bull and the goat*), or the eleven applications from the anointed *Kohen's* bull, or the eleven applications of the communal-error bull, if the *Kohen* had a *piggul* intention whether during the first set of applications (*in the Holy of Holies*), the second set (*on the Paroches*), or the third set (*on the Altar*), Rabbi Meir maintains that it is *piggul* and one incurs *kares*; while the Sages say that one does not incur *kares* unless he has a *piggul* intention during the entire *matter* (*permitter*). Now the *braisa* had stated that if the *Kohen* had a *piggul* intention whether during the first set of applications, the second set, or the third

set, and yet there is a disagreement (*and the Sages rule that it is not piggul for one cannot effect piggul in part of a permitter; but according to Rav, we should say that it is piggul, for although the latter service was done in silence, it should be regarded as a piggul intent, since one who does something is doing it based on his original intent*)!?

The *Gemora* notes that if you want to suggest an answer that, here too, it was performed by two different people, that would only be satisfactory according to the one who holds that the *Kohen Gadol* may enter the Holy of Holies with a bull that a different *Kohen* has slaughtered; however, what can be answered according to the one who maintains that he cannot do so?!

Rava answers: The *braisa* is referring to a case where he had a *piggul* intention during the first set of applications, and he was silent during the second, and again had a *piggul* intention during the third. [*Only then does Rabbi Meir rule it to be piggul, as he maintains that the second applications in silence were done with the original intention of the first.*] [*The question may be asked: If you claim that he acts with his original intention, why should he repeat his piggul intention during the third set?*] I might have thought that by the fact that he performed the third set of applications with a *piggul* intent, this indicates that the second set was not done with such intention, the text teaches us that this is not so.

Rav Ashi asked: Does the *Mishna* state that he was silent (*by the second set*)?

Rather, Rav Ashi answers: The circumstances here are where he had a *piggul* intention during the first, second, and third sets (*but he was silent during the fourth set – when he was applying the blood to the top of the Altar; Rabbi Meir holds that he effects piggul, for this was also being performed on the basis of his original intent*). [*The question may be asked: If you claim that he acts with his original intention, why should he repeat his piggul intention during the second and third set?*] I might have thought that by the fact that he performed the second and third set of applications with a *piggul* intent, this

indicates that the fourth set was not done with such intention, the text teaches us that this is not so.

The *Gemora* asks: But the *braisa* states: whether . . . or (and not that every set was done with a *piggul* intention)?

The *Gemora* notes: That is indeed a difficulty.

The *Gemora* had stated: Rabbi Meir maintains that it is *piggul* and one incurs *kares*.

[But why is he subject to *kares* if only part of the sprinklings were sprinkled with a *piggul* intent?] Let us see: one is not liable to *kares* until all the *mattirin* are offered, for a master said: As the acceptance of a valid *korban*, so is the acceptance of an invalid one. As the acceptance of the valid one necessitates that all its *mattirin* (all the sprinklings) be offered, so does the acceptance of the invalid necessitate that all its *mattirin* be offered. Now here, where he had a *piggul* intention in the Holy of Holies, he has already invalidated it, so that it is as though he had not sprinkled the blood at all; when he then sprinkles again in the *Heichal*, he is merely sprinkling water? [It emerges that he has not completed the sprinkling of the blood, so why does Rabbi Meir maintain that he renders the sacrifice *piggul*?]

Rabbah answers: It is possible in the case of four bulls and four goats. [The blood spilled after each and every set from the bull and the goat; there are four altogether, i.e., the Holy of Holies, the Paroches, the horns of the Inner Altar and the top of the Inner Altar. He had a *piggul* intention during all the applications of the blood, and since each set is a complete unit by itself, it renders the sacrifice *piggul*.]

Rava answers: You may even say that it is rendered *piggul* in the case of one bull and one goat; for although the sacrifice was invalidated at the first set, it effects acceptance in respect of its *piggul* status (just as it would in the case where he had a *piggul* intention at the slaughtering, though he thereby invalidates the sacrifice,

the following sprinklings are nevertheless considered as the offering of its *mattirin*).

The *Gemora* asks: Do you say that there are forty-three applications? Surely it was taught that there are forty-seven?

The *Gemora* answers: This depends on the dispute regarding the mingling of the blood of the bull and of the goat for sprinkling on the horns.

The *Gemora* asks: But it was taught that there are forty-eight applications?

The *Gemora* answers: That is following the view that the pouring out the remnants at the base of the Altar is essential.

INSIGHTS TO THE DAF

The Lubliner Rebbe's Suggestion

By: Meoros HaDaf HaYomi

The *Gemora* discusses the rule that “anyone who does (a further action), does so with the intention of the first”. In the light of this rule, our *sugya* explains that if a *kohen* thought a disqualifying thought of *pigul* when he took a handful (*kemitzah*) from a *minchah* offering and at the time of its burning (*haktarah*) he was “silent”, his *haktarah* is also *pigul* as “anyone who does a further action, does so with the intention of the first”. In other words, as he first did *kemitzah* with a thought of *pigul*, even if he thinks nothing afterwards, we assume that his thought remained the same.

Seventy-nine years ago, in 5684, the Lubliner Rebbe, Rabbi Alter Azriel Meir Eiger zt”l, made a revolutionary suggestion to save people from the obstacles of the prohibition of interest. In “a suggestion to the leaders of the generation” published in *Kovetz Derushim* by the Association of Polish Rabbis (Vol. 1, Part 2), he sought to initiate a statute whereby each person would obligate himself before the rabbi of his town that all his future

dealings would be subject to the conditions of *heter 'iskah*. His suggestion was considered innovative mainly because of the difficulty to create continuity linking his statement of obligation to a deal at any time in the future. The Rebbe found various supports in complicated *sugyas*, one of them being ours, which explains that “anyone who does (a further action), does so with the **intent of the first**”. As a result, all a person’s deals will be subject to the intent he expressed before his *rav* (concerning the details of *heter 'iskah*, see at length in *Meoros HaDaf HaYomi*, Vol. 5, Bava Metzia 68a).

The leaders of the generation considered the issue and expressed their opinions in the next volumes of *Kovetz Derushim*. The halachic discussion expanded and the Lubliner Rebbe published some of the replies in his *Takanas Rabim* in 5690. Some Polish authorities, including the Gaon of Lublin Rabbi Eliyahu Klatzkin, HaGaon Rav Meir Arik, MaharaSh Engel, the Gerer Rebbe (author of *Imrei Emes*) and others tended to agree to the suggestion as a “rescue” in a pressing situation (*b’sha’as hadchak*), with certain limitations. The Lubliner Rebbe finally decided to activate his suggestion with some of the limitations but it didn’t become popular.

In his *Mishnas Aharon* (Responsa, I, 20), HaGaon Rav Aharon Kotler zt”l sets forth a number of differences between the case of our *sugya* and the Lubliner Rebbe’s suggestion: (1) All actions done to a sacrifice complement each other. Therefore “he does so with the intent of the first” as there is a connection between the actions. But a person’s mundane actions have no connection and how should we know if his dealings in Tamuz are done with the intent he thought about half a year ago? (2) In our *sugya* the *kohen* is silent during the second action. We can then say that his current intent is as he expressed it at first. This logic does not exist in a deal where the partners are not silent but deal with a loan and interest. In other words, they leave no vacuum that can be filled with their previous thought. (3) We should sharply differentiate between the cases where the Torah relates to thought and where it relates to action. After all, a thought of *pigul* stems from what

happens in a *kohen’s* mind (though according to Rashi, he must express it in speech). On the other hand, the prohibition of interest has nothing to do whatever with thoughts but with actions, i.e. real dealings.

Therefore, our *sugya* applies the above rule to a *kohen* occupied with thoughts that determine the fate of a *minchah*. In this case, the Torah rules that a *kohen’s* subsequent subconscious thought is enough to render *pigul*. On the other hand, concerning loans and interest, subconscious thought cannot create legal validity. Such thought is limited and cannot change the ways of the world (see further in *Beris Yehudah*, Ch. 40, S.K. 19; *Toras Ribis*, 16:32).

DAILY MASHAL

Lev(o)nah

The Sha”ch writes that the word *levonah* (*frankincense*) is written in the Torah without a “vav” to indicate that it is in its merit that the Holy One, Blessed be He, provides sustenance to His children (*for levonah without a “vav” spells out “I’vaneha”—“to His children”*).

The Inner “Altar”?

Why is the inner altar called a *mizbeiach*, from the root *zevach*, a slaughtered offering? After all, nothing is sacrificed thereon. The author of *Toras Zeev* (p. 36) writes that this is because of the sprinkling of the blood of the inner *chataos* sprinkled on it. The Radak explains likewise in *Sefer HaShoroshim* (entry for *zevach*). It is interesting that the Zohar asks this question (*Vayakhel*, 219) and answers that it is so called because of the smoke of the incense which rises and defeats (“slaughters”) the accusers.