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Makkos Daf 17

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Explaining Rabbi Shimon’s Position

The Mishna had stated: How much untithed grain must one eat in order to receive lashes etc.?

Rav Bibi says in the name of Rabbi Shimon ben Lakish: Their argument is regarding grains of wheat. However, regarding flour, everyone agrees one must eat a k’zayis (size of an olive). Rabbi Yirmiyah says in the name of Rabbi Shimon ben Lakish. They argue in both cases.

The Mishna states: Rabbi Shimon asked them: Don’t you agree that if someone eats an ant of any size that he is liable? They answered: This is because it is an entire being as it was created. He replied: One grain of wheat is also as it was created.

The Gemora asks (a question on Rabbi Yirmiyah): This implies that his position is only regarding grains of wheat, not flour!?

The Gemora answers: Rabbi Shimon is only arguing according to the position of the Chachamim. He is saying that according to him, even someone who eats a little flour is liable. However, even according to you, you should at least agree that a whole grain of wheat that is as it was created should make one liable.

The Gemora asks: Why don’t the Chachamim agree with his logic?

The Gemora answers: They understand that while an entire living being (i.e. an ant) is an important entity (and will therefore make one liable even if he eats less than the normal amount), a grain of wheat is not.

There is a braisa that supports the position of Rabbi Yirmiyah. The braisa states: Rabbi Shimon says that one must only eat a miniscule amount to be liable for lashes. The amount of k’zayis is only stated regarding the obligation to bring a korban (if one does so accidentally). (17a)

Mishna

If someone eats bikkurim (first fruits that one must bring to the Beis Hamikdash) before reading the verses regarding bikkurim (at the Beis Hamikdash), or if they eat kodshei kodoshim outside of the curtains (i.e. walls) of the courtyard of the Beis Hamikdash, or if they eat kodoshim kalim and ma’aser sheini outside the walls of Yerushalayim, or if they break a bone of a pure korban pesach, they receive lashes. However, if someone leaves over some meat from a pure korban pesach or breaks a bone from an impure korban pesach, they do not receive lashes. If someone takes a mother bird away from her young, Rabbi Yehudah says that he receives lashes, and cannot fix this by sending the bird away. The Chachamim say he can fix this sending the bird away, and does not receive lashes if he does so. This is the rule: Any negative commandment that involves a positive commandment does not make one liable to receive lashes. (17a)



Transgressions regarding Sacrificial Meat

Rabbah bar bar Chanah says in the name of Rabbi Yochanan: These (that one must read the verses of bikkurim before eating them or he receives lashes) are the words of Rabbi Akiva, whose position is often found as the general position in a Mishna. However, the Chachamim say that while one must bring the bikkurim to the Beis Hamikdash, he does not have to read the verses (before they are permitted to be eaten, though he should do so).

The Gemora asks: Why didn't Rabbah say these are the words of Rabbi Shimon whose position is often found as the general position in a Mishna? (Rabbi Shimon also holds this way.)

The Gemora answers: Rabbah was teaching us that Rabbi Akiva and Rabbi Shimon agree.

The Gemora asks: Where do we see that this is the position of Rabbi Shimon?

The Gemora answers that this is apparent from a braisa. The braisa states: And the donation of your hand refers to bikkurim. Rabbi Shimon says: What does this teach us? If it is to teach us that one cannot eat bikkurim outside of Yerushalayim, we already know that from a kal vachomer from ma'aser, which has more lenient rules than bikkurim. If one who eats ma'aser outside of Yerushalayim receives lashes, certainly someone who eats bikkurim outside of Yerushalayim receives lashes! The verse must be teaching us that if someone eats bikkurim before reading the appropriate verses in the Beis Hamikdash that he receives lashes.

(The braisa continues.) And your donations refers to a korban shelamim (peace offering) and korban todah (offering of thanks). Rabbi Shimon says: What does this teach us? If it is to teach us that one cannot eat shelamim

outside of Yerushalayim, we already know that from a kal vachomer from ma'aser, which has more lenient rules than a shelamim. Rather, it must be coming to teach us that a person who eats from a todah or shelamim before sprinkling their blood receives lashes.

(The braisa continues.) And bechoros this refers to a firstborn animal. What does this teach us? If it is to teach us that one cannot eat a bechor outside of Yerushalayim, we already know that from a kal vachomer from ma'aser, which has more lenient rules than bechor. If it is coming to teach us that a person who eats from a bechor before sprinkling its blood receives lashes, we can derive this from a shelamim or todah. It must be teaching us that a non-Kohen who eats from a bechor, even after its blood was sprinkled, receives lashes.

(The braisa continues.) Your cattle and your sheep refers to a chatas and asham (various sin offerings). Rabbi Shimon says: What does this teach us? If it is to teach us that one cannot eat a chatas or asham outside of Yerushalayim, we already know that from a kal vachomer from ma'aser, which has more lenient rules than chatas or asham. If it is coming to teach us that a person who eats from a chatas or asham before sprinkling its blood receives lashes, we can derive this from a shelamim or todah. If it is teaching us that a non-Kohen who eats from a chatas or asham even after its blood was sprinkled receives lashes, we already know this from a bechor! It must be coming to teach us that if someone eats from a chatas or asham outside of the Courtyard, he receives lashes (even if he is a Kohen).

(The braisa continues.) Your vows refers to a korban olah (burnt offering). Rabbi Shimon says: What does this teach us? If it is to teach us that one cannot eat an olah outside of Yerushalayim, we already know that from a kal vachomer from ma'aser, which has more lenient rules than bechor. If it is coming to teach us that a person who eats from an olah before sprinkling its blood receives lashes, we



can derive this from a shelamim or todah. If it is teaching us that a non-Kohen who eats from an olah even after its blood was sprinkled receives lashes, we already know this from a bechor! If it is coming to teach us that if someone eats from a burnt offering outside of the walls of the Courtyard he receives lashes (even if he is a Kohen), we already know this from chatas or asham. The verse must be teaching that if someone eats from an olah, even if the blood was already sprinkled and he is inside the Beis Hamikdash, he receives lashes.

Rava says: If a woman is going to give birth, she should pray that she give birth to a child like Rabbi Shimon. If not, she should not give birth. Even so, there are questions on what he says. Why is bikkurim clearly stricter than ma'aser? This is because it is forbidden for a non-Kohen to eat it. On the contrary, ma'aser is stricter, as it is forbidden to an oinen (one who must bury a relative).

Similarly, why is todah and shelamim stricter than ma'aser? This must be because they require sprinkling of the blood and placing limbs on the Altar. On the contrary, ma'aser is stricter, as it requires redemption on money that is legal tender (if one wants to redeem it).

Similarly, why is a bechor stricter than todah and shelamim? This is because a bechor is holy from birth. On the contrary, a todah and shelamim are stricter as they require semichah (leaning on the animal before it is slaughtered), libations, and the waving of the animals' chest and thigh. Why is chatas and asham stricter than bechor? This is because they are kodshei kodoshim. On the contrary, a bechor is stricter, as it is holy from birth!

Similarly, why is a burnt offering stricter than a chatas and asham? This is because it is totally burnt. On the contrary, chatas and asham are stricter, as they atone! Additionally, all of the above are stricter than a burnt offering, as they all have two separate eatings (that of the altar, which is also called "eating," and that of people).

The Gemora asks: If there are so many questions on his statements, why say that a woman should give birth to a child who will be like Rabbi Shimon?

The Gemora answers: This is because he has skillfully derived lessons from the verses based on his understanding of what is more lenient and what is stricter.

The Gemora asks: Does the Torah warn based on a kal vachomer? Even according to the opinion that a punishment can be derived from a kal vachomer, a warning cannot be derived from a kal vachomer!

The Gemora answers: These derivations are teaching a mere prohibition, not teaching us about a warning for lashes.

The Gemora asks: Didn't Rava say that if a non-Kohen eats from an olah before the sprinkling of the blood and outside of the wall of the Courtyard, he receives five sets of lashes according to Rabbi Shimon?

Rava means: He has transgressed five prohibitions. (17a – 17b)

INSIGHTS TO THE DAF

The Atonement of an Olah

Rabbi Yosi HaGelili (Yoma 36) states that a korban olah is brought for the sin of not giving the poor people from your grain, which one is obligated to do. Rabbi Akiva disagrees and holds that a korban olah is brought to atone for transgressing a positive commandment. Chazal say that an olah is a doron - a present to Hashem. The Seforim say that an olah shows a tremendous amount of love between the person and Hashem. The Ramban writes that when one brings a chatas or an asham, he should feel as if he is



bringing himself as a sacrifice, for in truth, that is what he deserves. By an olah, it is as if he is giving himself to Hashem out of love.

How do we reconcile an olah being a present and a sign of love with the fact that Chazal say it is brought for transgressing certain sins?

The Aruch L'neir (Makkos 17b) explains the Ritva. The Gemora contrasts a chatas and ashm that is coming for atonement and an olah is not. The Ritva asks from the Gemora in Yoma and Zevachim that it does provide forgiveness for some sins, and he answers that when one brings an olah as a donation, it atones for those sins.

Reb Chaim HaQoton elaborates: Rashi, quoting the Midrash, explains that an olah sacrifice is an atonement for one who violates a positive commandment or for one who violates a negative commandment and fails to perform the positive commandment that is supposed to rectify the negative commandment. Rashi explains, in a point further explained by Nachmanides and Rabbi Yaakov Ettlinger, that one is never obligated to bring a olah as an atonement, rather, if one does, he attains his atonement.

Tosfos write that after bringing an olah one's atonement is "floating. Rabbi Meir Lublin explains that the Tosafists mean that an olah offering only atones for lenient sins, not for the more strict and severe sins.

Rabbi Shlomo Luria explains that the atonement is "floating" inasmuch as the atonement does not occur automatically when one offers an olah sacrifice, rather one must first perform teshuvah (repentance) and return to God before the offering of the sacrifice will complete its powers of atonement.

His words echo that of Rabbi Yaakov ben Asher who explains that the olah only serves as atonement for failing to perform a positive commandment or violating a

negative commandment which is to be repaired by a positive commandment, if one repents from one's sin.

Other Tosafists write that the olah offers an atonement for one who sinned and never knew of his sin. According to this explanation, obviously one cannot be obligate to being an olah for such a sin, because if he never knew about his sin, how can he be obliged to offer a sacrifice to atone for it? Rather, if one brought an olah offering, then it atones for sins unbeknown to him, but if he did not bring one, he is not required to do so. Another Midrash says that an olah is an atonement for one who thinks about sinning and thus has sinned with his intellect, not for one who violates a positive commandment.