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### **Mishna**

Whatever is more frequent takes precedence over its counterpart. The *tamid* (sacrifice brought every morning and afternoon) is brought before the *mussaf* (sacrifice); the *mussaf* of *Shabbos* is brought before the *mussaf* of *Rosh Chodesh*, and the *mussaf* of *Rosh Chodesh* is brought before the *mussaf* of *Rosh Hashanah*. This is as the verse states: *Besides the olah of the morning which is the continual olah offering.* (89a)

### **More Common Takes Precedence**

The *Gemora* asks: How do we know this law?

The *Gemora* replies: How can you ask for the source of this law?

The *Mishna* explicitly stated that the source is the verse: *Besides the olah of the morning which is the continual olah offering.*

Rather, the *Gemora* explains: This source is valid for the law that the *tamid* is always before a *mussaf* offering (as this is the context of the verse). However, how do we know that this also means that a common *mussaf* takes precedence to a less common *mussaf*?

Rabbi *Ila'a* answers: This is derived from the (following) verse: *Like these shall you do each day for seven days. Like these* implies that just as the *tamid* is before the *mussaf*, so too a common *mussaf* takes precedence to a less common *mussaf*.

The *Gemora* asks: Don't we need this verse to teach that a *mussaf* is brought for seven days on the festival (*pesach*)?

The *Gemora* answers: It could have merely said: *These you should do each day.* [The extra "like" teaches us the law regarding common sacrifices.]

The *Gemora* asks: If it would only say, *these you should do each day for seven days*, I would think that the seven sheep should be split up amongst all seven days of *Pesach* (and only one sheep should be brought each day)!

The *Gemora* answers: The verse explicitly states *each day* (teaching that seven sheep are brought each day).

The *Gemora* asks: It is still possible that *l'yom* means for the first day of *Pesach* (instead of each day), and we do not know how many sheep to offer on the rest of the days!?

The *Gemora* answers: This is why the verse says, *you should do*, indicating that all of the "doings" (i.e. offerings each day of *Pesach*) should be the same.

*Abaye* answers (the *Gemora's* original question): This (that a common *mussaf* takes precedence to a less common *mussaf*) can be understood from the verse quoted in the *Mishna*. The verse could have taught that the *tamid* is before *mussaf* by merely saying, *besides the olah of the morning*. Why did it add *which is the continual olah offering*? It must be that it is explaining that the reason why the *tamid* is before the *mussaf* is because it is "tamid" – "constant." We can therefore apply this to every sacrifice (or *mitzvah*) that is more common than another sacrifice (that the former takes precedence). (89a)

### **Mishna**

Whatever is holier takes precedence over its counterpart. The blood of a *chatas* (sacrifice) is offered (sprinkled) before the blood of an *olah*, because it atones. The limbs of an *olah* are offered (burned on the altar) before the limbs of a *chatas*, because an *olah* is totally burned (as opposed to a *chatas* which is partially eaten by Kohanim). A *chatas* is offered before an *asham*, as its blood is sprinkled on all four corners of the altar, with the remainder spilled onto the base. An *asham* is offered before a *todah* or ram of a *nazir* because it is *kodshei kodashim*. A *todah* and ram of a *nazir* are offered before a *shelamim* because they are only eaten for one day, and require the bringing of loaves. A *shelamim* is offered before a *bechor* because its blood must have two blood applications that in fact are four applications on the altar, *semichah* (owner leans on the sacrifice before it is offered), and *tenufah* (the waving of chest and right thigh after it is slaughtered). A *bechor* is offered before a *ma'aser* because a *bechor* is holy from birth, and it is only eaten by the Kohanim. A *ma'aser* is offered before bird offerings, because it is called a *zevach* (animal sacrifice) and because two parts of it are put on the altar, namely its blood and limbs (as opposed to a bird *chatas* whose limbs are not put on the altar). Bird offerings are brought before flour offerings, as they do involve an atonement of blood (which Rashi says is more of an atonement). The flour offering of a sinner is before a voluntary flour offering, as it comes to atone for a sin. A bird *chatas* is brought before an *olah* bird. Similarly, when dedicating two birds to be both a *chatas* and *olah*, one should first dedicate the *chatas*. (89b)

### Source for Precedence

The Gemora asks: How do we know this?

The Gemora answers its question from a *braisa*, which states: *And a second young bull you should take as a chatas*. The verse cannot be teaching that another bull is brought, as the verse already states: *and you should make one a chatas and one an olah*. Why, then, does the verse state: *and a second young bull you should take as a chatas*? One might think that all services of a *chatas* should be taken care of before doing any service of an *olah*. This is why the verse is stated (to imply that the *chatas* is

sometimes second). If the verse says, *a second bull* perhaps this means that the services of an *olah* are always before a *chatas*? This is why the verse states: *and you should make one a chatas and one an olah*. What is the practical meaning of these verses? The blood of a *chatas* is offered before the blood of an *olah*, because it atones. The limbs of an *olah* are offered (burned on the altar) before the limbs of a *chatas*, because an *olah* is totally burned.

The Gemora asks: Why don't we say that only the first application of a *chatas* that atones should take precedence over an *olah*?

Ravina answers: We are discussing a *chatas* of the Leviim (by their inauguration, where there is no atonement). Even though it is like an *olah*, the Torah teaches us that it precedes an *olah*.

In the West (Eretz Yisroel) they answered: Once he started applying the blood of a *chatas*, it is understandable that he should finish. (89b)

### Inquiries of Precedence

They inquired: If the blood of a *chatas* and limbs of an *olah* are waiting, which one of them takes precedence? Do we say the *chatas* blood is applied first because it atones, or do we say that the limbs of an *olah* are offered first because they are burned on the altar?

The Gemora attempts to answer this question from our Mishna. The Mishna states: The blood of a *chatas* takes precedence over the blood of an *olah*. This indicates that it is only before the blood of an *olah*, but not before the limbs of an *olah*.

The Gemora asks: On the contrary!? The next part of the Mishna states that the limbs of an *olah* take precedence over the limbs of a *chatas*. This indicates that they are not before the blood of a *chatas*! Rather, the Gemora concludes, we cannot answer the question based on our Mishna.

They inquired: If the blood of an *olah* and limbs of a *chatas* are waiting, which one of them takes precedence? Do we say the *olah* blood is sprinkled first because it is part of a sacrifice that is totally burned, or do we say that the limbs of a *chatas* are offered first because they from a sacrifice that atones?

The *Gemora* attempts to answer this question from our *Mishna*. The *Mishna* states: The blood of a *chatas* takes precedence over the blood of an *olah*. This indicates that only the blood of a *chatas* is before the blood of an *olah*, while the limbs of a *chatas* are not before the blood of an *olah*.

The *Gemora* asks: On the contrary!?! The next part of the *Mishna* states that the limbs of an *olah* take precedence over the limbs of a *chatas*. This indicates that the limbs of an *olah* are before the limbs of a *chatas*, but the blood of an *olah* is not before the limbs of a *chatas*! Rather, the *Gemora* concludes, we cannot answer the question based on our *Mishna*.

The *Gemora* inquires: If the blood of an *olah* and blood of an *asham* are waiting, which one of them takes precedence? Do we say the *olah* blood is sprinkled first because it is part of a sacrifice that is totally burned, or do we say that the blood of an *asham* is offered first because it atones?

The *Gemora* attempts to answer this question from our *Mishna*. The *Mishna* states: The blood of a *chatas* takes precedence over the blood of an *olah*. This indicates that only the blood of a *chatas* is before the blood of an *olah*, as opposed to the blood of an *asham* that is not before the blood of an *olah*.

The *Gemora* answers: In truth, the *Mishna* could have said the blood of an *asham* along with the blood of a *chatas*. However, being that it wanted to discuss the next case comparing the limbs of an *olah* to the limbs of a *chatas*, and it only mentioned *chatas* in that case, as that certainly includes an *asham* (as opposed to if it would have only mentioned *asham*, as we would not know *chatas*), it did not mention *asham*.

The *Gemora* attempts to answer from the *Mishna*. The *Mishna* states: A *chatas* takes precedence over an *asham*. This indicates

that a *chatas* is before an *asham*, while an *olah* is not before an *asham*. This must be referring to sprinkling blood, proving the blood of an *asham* is before the blood of an *olah*!

The *Gemora* answers: No. It is saying that the limbs of a *chatas* take precedence over the limbs of an *asham* (in which case there is no proof, as the limbs of an *olah* are before the limbs of a *chatas*). This is apparent from the *Mishna* itself, which says "its blood is put etc." This clearly indicates that the case is about the limbs, not the blood. [If it would be about the blood, it would have said, "because it is put etc."]

The *Mishna* says that a *chatas* takes precedence over an *asham*.

The *Gemora* asks: On the contrary!?! An *asham* should be before a *chatas*, as it must have a certain minimum value (as opposed to a *chatas*).

The *Gemora* answers: Even so, the fact that there are more blood applications on the altar make a *chatas* holier.

The *Mishna* says that an *asham* is offered before a *todah* etc.

The *Gemora* asks: On the contrary!?! A *todah* and ram of a *nazir* should be before an *asham*, as they must also be brought with loaves!?

The *Gemora* answers: Even so, being that an *asham* is *kodshei kodashim*, it takes precedence.

The *Mishna* says that a *todah* and ram of a *nazir* are before a *shelamim*.

The *Gemora* asks: On the contrary!?! A *shelamim* is better as it is brought by both the public and an individual (as opposed to a *todah* and ram of a *nazir* that is only brought by individuals)!?

The *Gemora* answers: Even so, the fact that a *todah* and ram of a *nazir* are eaten for only one day gives them significance.

The *Gemora* asks: Which is offered first, a *todah* or ram of a *nazir*? Is a *todah* first because it requires four different types of bread, or is a ram of a *nazir* first because it is brought along with other sacrifices (*that are brought at the same time by a nazir*)?

The *Gemora* answers from a *braisa* that explicitly states a *todah* is before the ram of a *nazir*, as a *todah* requires four types of bread, as opposed to the two of a *nazir*.

The *Mishna* says that a *shelamim* takes precedence over a *bechor*.

The *Gemora* asks: On the contrary! A *bechor* should be first because it is holy from birth and is only eaten by *Kohanim*!?

The *Gemora* answers: Even so, the extra *mitzvos* done with a *shelamim* (*semichah*, waving, etc.) gives a *shelamim* significance.

The *Mishna* states that a *bechor* takes precedence over *ma'aser*.

The *Gemora* asks: On the contrary! *Ma'aser* should be given precedence, as the tenth animal (*labeled ma'aser beheimah*) can make the animal before it and after it holy (*if they were accidentally proclaimed ma'aser beheimah*)!?

The *Gemora* answers: Even so, the fact that a *bechor* is born holy takes precedence.

The *Mishna* states that *ma'aser* takes precedence over bird offerings.

The *Gemora* asks: On the contrary! Bird offerings should take precedence as they are *kodshei kodashim*!?

The *Gemora* answers: Even so, an animal sacrifice is more significant.

Ravina bar Shilo says: The limbs of *kodashim kalim* that went out of the Courtyard before the blood of the sacrifice was applied are invalid. Our *Tanna* supports this, as he says that

*ma'aser* takes precedence over a bird sacrifice because it is an animal, and it has two parts that go on the altar, namely the blood and the limbs. It is understandable why our *Tanna* said that its limbs go on the altar, as the limbs of a bird *chatas* do not go on the altar. However, why did the *Tanna* mention the blood? [*The blood of a bird chatas also goes on the altar!*] Rather, he must be teaching that the limbs are like the blood. Just like the blood is called *kodshei kodashim* before sprinkling, so too the limbs are called *kodshei kodashim* before sprinkling. Just as the blood is invalid if it leaves the Courtyard, so too the limbs are invalid if they leave the Courtyard. [*This is why the Tanna calls them both kodshei kodashim, in order to give the blood and limbs of ma'aser beheimah, and all kodshei kodashim, a similar law to kodshei kodashim which must remain in the Courtyard.*]

The *Gemora* attempts to bring a proof to this from the following argument. If meat of *kodashim kalim* leaves the Courtyard before the sprinkling of the blood, Rabbi Yochanan says it is still valid, while Rish Lakish says it is invalid. Rabbi Yochanan says it is valid, as it going to be permitted anyway to be taken anywhere in Yerushalayim. Rish Lakish says it is invalid, as it is not yet permitted to go outside the Courtyard. It seems that they only argue regarding meat, not limbs. This must be because they both agree limbs become invalid when taken outside the Courtyard!?

The *Gemora* answers: No. They argue regarding limbs as well. They argue regarding meat in order to show the strong position of Rish Lakish that even meat, which is going to be permitted to be anywhere in Yerushalayim, is still considered invalid if it went out before the sprinkling of the blood. (89b)

#### INSIGHTS TO THE DAF

#### ***Should a Person who came to Shul during Mussaf Pray Shacharis or Mussaf?***

An ill person once found the strength to come to the synagogue on *Shabbos* morning, but discovered that the congregation was

about to start *mussaf*. As he was erudite, he was uncertain whether he should join them for *mussaf* or if he shouldn't change the order determined by *Chazal*, and pray *shacharis* alone.

The *poskim* presented with the question had different opinions, as follows. The Maharshag (Responsa *Maharshag*, I, 22) rules that as the prayers were instituted corresponding to the sacrifices (Brachos 26b; Rambam, *Hilchos Tefilah*, 1:5), one mustn't change their order, as explained in our *sugya*, that one mustn't offer the *mussaf* sacrifice before the *tamid*.

However, HaGaon Rav Yitzchak Elchanan Spektor zt"l, *av beis din* of Kovno, disagreed (Responsa *Beer Yitzchak*, O.C. 20) and, typically, explained his approach step by step. He explains that we would err to resolve this question by resorting to the *halachos* of sacrifices. We must distinguish between two types of *halachos* regarding sacrifices. There are some *halachos* that the sacrifice depends upon and others that are a *mitzvah* to perform but whose lack of observance does not disqualify the sacrifice. *Chazal* only applied those *halachos* to prayer whose lack of observance disqualifies a sacrifice. If a *mussaf* is offered before a *tamid*, it is not disqualified and therefore *Chazal* did not institute this prohibition concerning the *halachos* of prayer. Therefore, the ill person has two *mitzvos* before him, *shacharis* and *mussaf*, and we must decide which he should observe first according to the rules applying to all portions of the Torah. First, we must examine the characteristics of the two *mitzvos*. *Shacharis* is *tadir* (frequent) every day, while *mussaf* was instituted only for *Shabbos*. Therefore, it is fitting, apparently, to place *shacharis* first as "the more frequent takes precedence". On the other hand, this person's *mussaf* will be holier than his *shacharis* as he can pray it with the congregation whereas *shacharis* he can only pray alone. If so, we have before us a frequent *mitzvah* and a holier *mitzvah*. Our *Gemora* (90b) debates "if there is a frequent thing and a holier thing, which takes precedence?" and, as the *Gemora* does not decide, Rambam rules (*Hilchos Temidin Umusafin*, 9:2) that "if he has before him a frequent thing and a holier thing, he should perform **whichever he wants first**." Apparently, we should instruct the ill person to act as he likes.

However, adds Rav Spektor, if we examine the issue carefully, we notice another advantage to this person's praying *mussaf* as aside from being "holier" because of being prayed with the congregation, the person only thus will also earn the *mitzvah* of prayer with the congregation. Therefore, we should instruct him to pray *mussaf* first. The *halachah* of "if he has a frequent thing and a holier thing, he should perform whichever he wants first" only deals with a case where he can give precedence to one of the *mitzvos* but not lose it altogether. In our case, if he prays *shacharis* first, he won't be able to pray *mussaf* with the congregation.

HaGaon Rav Eliezer Yehudah Waldenberg (Responsa *Tzitz Eli'ezer*, XIV, 6) remarks that as for the *halachah*, the issue is valid only if the person comes to the synagogue just before *mussaf*, but if there is some time before *mussaf*, he should try to pray what is necessary of *shacharis* up to *Shemoneh 'Esreh* and when the congregation starts *mussaf*, he should start *Shemoneh 'Esreh* of *shacharis*. He is then considered as praying with the congregation, as *Mishnah Berurah* rules (90, S.K. 30) that someone who prays *shacharis* with a congregation that prays *mussaf* is considered as praying with the congregation as, after all, he is praying with a *minyan*. (We point out that that is the opinion of *Mishnah Berurah* but in *Beer Yitzchak* it is evident that someone who prays *shacharis* with a congregation praying *mussaf* is not considered as praying with the congregation and that, at any rate, he should pray *mussaf* first. See *Eish Tamid*, p. 542, in the name of HaGaon Rav Chayim of Brisk zt"l, according to which he can pray *shacharis* with the congregation and then the *berachos* of *kerias Shema'* and *mussaf*; see *ibid* and according to that perhaps he must do so).