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Levites

There was once a *Levi* who used to snatch the *Kohanic* gifts. When this was reported to Rav, he said: Is it not enough for him that we do not take the gifts from his own slaughtering, but he must also snatch them?

The *Gemora* asks: But what was Rav’s view? If the Levites are included within the term ‘*the nation*,’ we should exact the gifts from them as well; and if they are not included within the term ‘*the nation*,’ then the Torah has exempted them?

The *Gemora* answers: Rav was in doubt whether they are included within the term ‘*the nation*,’ or not.¹

Rav Pappa was once sitting and reciting the above statement, whereupon Rav Iddi bar Avin raised this objection against Rav Pappa from the following *braisa*: The four gifts assigned by the Torah to the poor in a vineyard, namely *peret* (the fallen grapes at the time of picking), *oleilos* (a small, underdeveloped cluster of grapes), *shich’chah* (clusters that are mistakenly left behind during the gathering of the bundles are left for the poor), and *pe’ah* (the corner of the vineyard), and the three applicable to grain, namely *leket* (one or two

ears of grain that fall from his hand while harvesting must be left for the poor), *shich’chah* and *pe’ah*, and the two which apply to the fruit of the tree, namely *shich’chah* and *pe’ah* — with regard of these, the owners do not have not the benefit of gratitude (to give to who they please),² and even from the poorest in Israel they are exacted. With regard to the poorman’s *ma’aser*, which is distributed in the house, the owner has the benefit of gratitude, and it is exacted even from the poorest in Israel. The other *Kohanic* gifts, such as the foreleg, jaws and the abomasum are not exacted from one *Kohen* in favor of another *Kohen*, nor from one *Levi* in favor of another *Levi*.

The *Gemora* cites the Scriptural sources for all the above *halachos*.

Rav Iddi’s question was as follows: The *braisa* had stated that the other *Kohanic* gifts, such as the foreleg, jaws and the abomasum are not exacted from one *Kohen* in favor of another *Kohen*, nor from one *Levi* in favor of another *Levi*. It follows, however, that they may be exacted from a *Levi* in favor of a *Kohen*! Apparently, this is because they are included within the term ‘*the nation*’!

¹ And therefore no *Kohen* could claim the dues from Levites without bringing evidence to prove they are subject to this law.

² But they are to be left on the field free to all the poor, and the first poor person that collects them acquires them.

The *Gemora* answers: It only meant such as the foreleg, but not actually the foreleg. What is really meant is *ma'aser rishon*.

The *Gemora* asks: But isn't *ma'aser rishon* due to the *Levi*?

The *Gemora* answers: The view expressed here is that of in accordance with the ruling of Rabbi Elozar ben Azaryah, for it has been taught in a *braisa*: *Terumah Gedolah* belongs to the *Kohen*, and *ma'aser rishon* belongs to the *Levite*; so said Rabbi Akiva. Rabbi Elozar ben Azariah said: *Ma'aser* is given to the *Kohen* (and not to the *Levi*, for *Ezra* penalized them)³.

The *Gemora* asks: Perhaps *Ezra* had penalized them that one should not give the *ma'aser rishon* to them, but did he intend that it should be taken away from them?

The *Gemora* therefore says that 'such as the foreleg, but not actually the foreleg' meant the first of the fleece.

The *Gemora* challenges Rav's viewpoint and concludes that it is a matter of a *Tannaic* dispute, for it was taught in a *braisa*: *And he shall atone for the Holy of Holies* - this means (for any "tumah" sin committed in) the Holy of Holies; and the *Tent of Meeting* -this refers to the Sanctuary; and the *altar*⁴ - this is to be understood in its literal sense; he shall atone - this refers to all "tumah" sins committed in the Courtyard. The *braisa* continues by saying that the full list of atonement enumerated by the verse – *al hakohanim* – to the *Kohanim*; *kol am*

hakahal refers to the whole nation; *he shall atone* – this means the *Levi'im*. And another *braisa* taught: *he shall atone* – this means the slaves. Surely then the *Tannaim* differ in this: one holds that they (*the Levites*) are included under the term '*the nation*,'⁵ and the other holds that they are not.

The *Gemora* asks: And Rav!? If he agrees with the one *Tanna*, he should have ruled accordingly, and if he agrees with the other *Tanna*, he should have ruled accordingly?

The *Gemora* answers: Rav was in doubt whether to accept the ruling of the one *Tanna* or of the other.

Mereimar stated in a discourse: The law is in accordance with Rav's view; and the law is also in accordance with Rav Chisda's view. (131a – 131b)

DAILY MASHAL

Not to Despair

Rabbi Chayim Ben Atar explained: Even if someone sinned and is punished with *kareis* and his life will be cropped – "and when you crop the harvest of your land, do not finish the corner of your field to crop" – do not finish your soul till the last root, saying what have I got to lose? There's always a chance to repent (*Or HaChayim*, Vayikra 19:9).

³ Because the Levites did not go up with him in the return to Judea from the Babylonian exile, *Ezra* deprived them of the tithe.

⁴ The bull and the goat prescribed in the sacrificial service of *Yom Kippur* make atonement for all transgressions of the rules of *tumah* occurring in the several parts of the Temple precincts, e.g., if any

person entered the Temple court in a state of *tumah*; and the atonement is extended to include every section of the community.

⁵ Sc., the *Tanna* of the latter *Baraisa*. It is therefore unnecessary to have a special reference in the verse to include Levites, consequently the reference serves to include heathen slaves.

