



Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

**Mishna**

Animals substituted for a *bechor* (firstborn) and a *ma’aser* (tithe animal; which cannot be offered as a *korban*), and also their offspring and their offspring’s offspring until the end of time are like a *bechor* and a *ma’aser*, and are eaten by their owners when blemished (even without redemption).

What is the difference between a firstborn and *ma’aser* animal (when they are blemished) and other offerings? Consecrated animals that have become disqualified – their proceeds go to the Temple Treasury – may (after they have been redeemed) be sold and slaughtered in the market (and it is not regarded as degrading; this is because their proceeds become sacred and are used for the purchase of other sacrifices), and they may be weighed out by the *litra* (like all other animals), except in the case of a *bechor* or a *ma’aser* (as their profit goes to the owners). **[The Mishna is teaching us that we do not allow a *bechor* and *ma’aser* to be denigrated for the benefit of the person who receives the money when it is sold. This is as opposed to other sacrifices that are sold, as their proceeds go to *hekdesh*. We therefore allow them to be sold by weight, in order for *hekdesh* to get the best value.]** All sacrifices (rendered unfit for the altar due to a blemish) are subject to redemption and their exchanges (if one made a *temurah* from a blemished offering) are also subject to redemption, except in the case of a *bechor* or *ma’aser* (and if one attempts to redeem them, nothing is accomplished – the animal retains its sanctity and the money used remains *chullin*).

All sacrifices may come from outside *Eretz Yisroel*, except for a *bechor* and *ma’aser* (which does not need to be brought from outside of *Eretz Yisroel*). If an unblemished *bechor* came from outside *Eretz Yisroel* into *Eretz Yisroel* they may be offered up (but one is not required to bring them into *Eretz Yisroel* to be offered up); if, however, they are blemished, they are eaten by their owners with their blemishes.

Rabbi Shimon said: What is the reason (that a *bechor* or *ma’aser* does not need to come from outside *Eretz Yisroel*)? It is because a firstborn and *ma’aser* animal have a remedy wherever they are (for if they develop a blemish, they may be eaten), whereas all other consecrated animals, although a blemish has occurred in them, remain sanctified. [Regarding other consecrated animals – even if they became blemished, one is required to bring their money to *Eretz Yisroel* for the purpose of bringing offerings. Since the sanctity remains in them even if blemished, the owners are required to bring to the *Eretz Yisroel* the unblemished consecrated animals in order to offer them.] (21a)

**Inflicting a Blemish  
on a Disqualified Animal**

Rava the son of Rav Azza said: In the West they inquired: What is the law if one inflicts a blemish to the *temurah* of a *bechor* or *ma’aser*? Do we say that since they are not offered on the altar, he is not liable to lashes (as he would be if it was a valid sacrifice), or perhaps, since they are holy, he is liable?

Abaye said to him: And why do you not ask regarding a case where one inflicted a blemish to the ninth animal of the ten taken in for tithing? [The law is that if when the animals are exiting the pen, he accidentally calls the ninth animal ‘the tenth,’ it is holy, but it is not offered.] The reason, presumably that you did not inquire concerning the ninth animal of the ten is because the Torah excludes it (from being offered), by saying: ‘the tenth,’ thus excluding the ninth (and accordingly, one would not be liable for inflicting a blemish in it); here too, the Torah excludes it by saying: *You shall not redeem; they are holy*, thus implying that ‘they’ are offered, but their *temurah* is not offered (and accordingly, one would not be liable for inflicting a blemish in it).

Rav Nachman bar Yitzchak reported the above discussion as follows: Rava the son of Rav Azza said: In the West they inquired: What is the law if one inflicts a blemish to the ninth animal of the ten taken in for tithing? Do we say that since it is not offered on the altar, he is not



liable to lashes (*as he would be if it was a valid sacrifice*), or perhaps, since it is holy, he is liable?

Abaye said to him: And why do you not ask regarding a case where one inflicted a blemish to the *temurah* of a *bechor* or *ma'aser*? The reason, presumably that you did not inquire concerning the *temurah* of a *bechor* or *ma'aser* is because the Torah excludes it (*from being offered*), by saying: *they are holy*, thus implying that 'they' are offered, but their *temurah* is not offered (*and accordingly, one would not be liable for inflicting a blemish in it*); here too, the Torah excludes it by saying: *'the tenth'*, thus excluding the ninth (*and accordingly, one would not be liable for inflicting a blemish in it*). (21a)

### Three Elders – Regarding Offerings and Sanctity

The *Mishna* had stated: If an unblemished *bechor* came from outside *Eretz Yisroel* into *Eretz Yisroel* they may be offered up.

The *Gemora* asks that the following *Mishna* contradicts this: The son of Antigenus brought up firstborns from Bavel (*to Eretz Yisroel*) and they were not accepted from him (*to be offered*)!?

Rav Chisda answers: There is no difficulty, as this is the opinion of Rabbi Yishmael, and that is the opinion of Rabbi Akiva, for it has been taught in a *braisa*: Rabbi Yosi reported three things in the name of three Elders (*and this statement is one of them*): Rabbi Yishmael said that one might think that even nowadays (*although there is no Beis HaMikdash*), a person is required to bring his *ma'aser sheini* to Yerushalayim and eat it there (*without redeeming it*). However, this may be refuted through the following argument: Firstborn animals (*bechoros*) must be brought to "the place" (*Yerushalayim*), and *ma'aser sheini* must be brought to "the place." Now just as a *bechor* may not be eaten there except when there is a Beis HaMikdash, so too *ma'aser sheini* should not be eaten there unless there is a Beis HaMikdash,

This, however, is not a good comparison, because in the case of a *bechor*, there are requirements to sprinkle the blood and burn the fats on the Altar (*and perhaps that is why it cannot be eaten unless there is a Beis HaMikdash*)!?

But perhaps *bikkurim* (*the first ripe fruits of any of the seven species with which the Torah praises Eretz Yisroel, which had to be brought to the Beis HaMikdash in Yerushalayim*) is a proper comparison (*which*

*can support his contention since they are forbidden to be eaten from nowadays even though they do not have a sprinkling of blood or burning of fats on the Altar*).

This, however, is not a good comparison, because in the case of a *bikkurim*, there is a requirement to place them down before the Altar (*and perhaps that is why it cannot be eaten unless there is a Beis HaMikdash*)!?

The Torah therefore writes: You shall bring there your offerings etc. (*and the Torah continues by mentioning ma'aser sheini and bechor*). *Ma'aser sheini* is compared to *bechor*. Just as a *bechor* cannot be eaten unless there is a Beis HaMikdash, so too *ma'aser sheini* should not be eaten there unless there is a Beis HaMikdash.

The *Gemora* asks: Why can't we derive (*without this verse*) this *halachah* from the common characteristic (*of bechor and bikkurim; they both need to be eaten in Yerushalayim, and only when the Beis HaMikdash is standing – so too, ma'aser sheini should be the same*)?

The *Gemora* answers that both *bechor* and *bikkurim* involve the Altar in some sense (*and since ma'aser sheini does not, we cannot learn it out from them*).

The *Gemora* analyzes Rabbi Yishmael's opinion: If he maintains that the initial sanctity of the Beis HaMikdash was sanctified for its time and for all future time, then it should even be permitted for a *bechor* to be brought as a sacrifice and be eaten in Yerushalayim? And if he holds that the initial sanctity of the Beis HaMikdash was sanctified for its time but not for all future time (*and therefore nowadays there is no sanctity*), then his inquiry (*regarding ma'aser sheini*) should have been relevant to a *bechor* as well (*if a bechor was slaughtered while the Beis HaMikdash was in existence, and then it was destroyed, may it be eaten in Yerushalayim*)? [*Why was the halachah of bechor obvious to Rabbi Yishmael, but not the halachah regarding ma'aser sheini*?]

Ravina answers: In truth, Rabbi Yishmael holds that the initial sanctity of the Beis HaMikdash was sanctified for its time but not for all future time, and here the reference is to the following case: The blood from a *bechor* was sprinkled before the destruction of the Beis HaMikdash, and then it was destroyed, and the meat was still present (*and ready to be eaten*). Rabbi Yishmael compares the meat of the *bechor* to its blood: when the blood may be sprinkled on the Altar, the meat may be eaten as well (*but since now there is no Altar and the blood cannot be sprinkled, the meat may not be eaten either*). And then he compares *ma'aser sheini* to *bechor*.



The Gemora asks: And (in sacrificial matters) can something that is derived through a *hekesh* (halachos that are taught regarding one subject apply to another one as well) turn around and teach another *halachah* with a *hekesh*?

The Gemora answers: *Ma'aser* on grain is not regarded as a sacrificial matter.

The Gemora asks: This answer is correct according to the opinion who holds that we follow the subject that learns its *halachah* from the second *hekesh*. However, according to the one who holds that we follow the subject that teaches the *halachah*, what is there to say?

The Gemora answers: The blood and meat (of the *bechor*) is actually one thing (so it is not a *hekesh* to a different matter; we therefore can learn the *halachah* of *ma'aser* from there).

Rabbi Akiva says: One might think that a man can bring up a firstborn from outside *Eretz Yisroel* to *Eretz Yisroel* when the Temple is standing and offer it; the Torah, however, states: You shall bring there your offerings etc. (and the Torah continues by mentioning *ma'aser sheini* and *bechor*). This implies that from the place you bring up *ma'aser* of grain (which is only in *Eretz Yisroel*), so too that is where you bring up a firstborn, and from a place that you cannot bring up *ma'aser* of grain (outside of *Eretz Yisroel*), you do not bring up a firstborn either. [Accordingly, Ben Antigenos is following Rabbi Akiva's opinion that we do not accept firstborn offerings from outside of *Eretz Yisroel*.]

Ben Azzai says: One might think that a man may bring up *ma'aser sheini* and eat it within sight of *Yerushalayim*; but this is refuted as follows: A firstborn requires the bringing up to a (holy) place (*Yerushalayim*; and be eaten there), and *ma'aser sheini* requires bringing to a (holy) place: just as a firstborn is not eaten except within the wall (of *Yerushalayim*), so too *ma'aser sheini* is not eaten except within the wall (of *Yerushalayim*). The *braisa* challenges this comparison: This, however, is not a good comparison, because in the case of a *bechor*, there are requirements to sprinkle the blood and burn the fats on the Altar (and perhaps that is why it can only be eaten within the walls of *Yerushalayim*), whereas *ma'aser* does not have such requirements! The Torah therefore writes: You shall bring there your offerings etc. (and the Torah continues by mentioning *ma'aser sheini* and *bechor*). *Ma'aser sheini* is compared to *bechor*. Just as a *bechor* cannot be eaten except within the walls of *Yerushalayim*, so too *ma'aser sheini* should not be eaten except within the walls of *Yerushalayim*.

The Gemora asks (on Ben Azzai's initial statement): What was Ben Azzai's initial difficulty that he should say: One might think (that a man may bring up *ma'aser sheini* and eat it within sight of *Yerushalayim*)? [The Gemora explains why this would be permitted:] Since we have learned in a *Mishna*: There is no difference between *Shiloh* and *Yerushalayim* except that in *Shiloh* (when the *Tabernacle* was there), one may eat *kodshim kalim* (sacrifices with a lesser degree of sanctity) and *ma'aser sheini* in any location that *Shiloh* can be seen, however, in *Yerushalayim*, one could eat only inside the wall. And in both locations, *kodshei kodashim* (sacrifices with a higher degree of sanctity) must be eaten inside the enclosures. Now, you might think that *ma'aser sheini* could be eaten within sight of *Yerushalayim*, Ben Azzai therefore needs to cite a verse to inform us that it is not so.

The *braisa* concludes: Others say: One might think that a firstborn animal that passed its first year should be considered like an invalidated consecrated offering. This is why the verse states: And you will eat before Hashem your God the *ma'aser* of your grain etc. (and the firstborn animals of your etc.). This teaches us that just as *ma'aser sheini* does not become invalid after its year, so too firstborn animals do not become invalid after their year.

The Gemora asks: And the Rabbis, who interpreted the verse above for another purpose, from where do they derive that one may bring a firstborn (that is leftover) from the first year to the other?

The Gemora answers: They derive this from the following Scriptural verse: You shall eat it before Hashem, your God, year by year, which teaches us that a firstborn (leftover) from one year to another is not disqualified.

The Gemora asks: And how do the 'Others' interpret that verse?

The Gemora answers: They need this verse for that which has been taught in the following *braisa*: One day from this year and a day from the next; this teaches us that a firstborn may be eaten for two days and a night (even if the second day belonged to the new year).

The Gemora asks: And from where do the Rabbis derive that a firstborn may be eaten for two days and a night?

The Gemora answers: It is written: It shall be yours as the breast of the waving (like the breast and shoulder of the *shelamim*, which are eaten two days and a night). (21a – 21b)

**WE SHALL RETURN TO YOU, EILU KODASHIM**

## INSIGHTS TO THE DAF

### *The Chosen City*

The *Gemora* analyzes Rabbi Yishmael's opinion: If he maintains that the initial sanctity of the Beis HaMikdash was sanctified for its time and for all future time, then it should even be permitted for a *bechor* to be brought as a sacrifice and be eaten in Yerushalayim? And if he holds that the initial sanctity of the Beis HaMikdash was sanctified for its time but not for all future time (*and therefore nowadays there is no sanctity*), then his inquiry (*regarding ma'aser sheini*) should have been relevant to a *bechor* as well (*if a bechor was slaughtered while the Beis HaMikdash was in existence, and then it was destroyed, may it be eaten in Yerushalayim*)? [Why was the halachah of *bechor* obvious to Rabbi Yishmael, but not the halachah regarding *ma'aser sheini*?]

Ravina answers: In truth, Rabbi Yishmael holds that the initial sanctity of the Beis HaMikdash was sanctified for its time but not for all future time, and here the reference is to the following case: The blood from a *bechor* was sprinkled before the destruction of the Beis HaMikdash, and then it was destroyed, and the meat was still present (*and ready to be eaten*). Rabbi Yishmael compares the meat of the *bechor* to its blood: when the blood may be sprinkled on the Altar, the meat may be eaten as well (*but since now there is no Altar and the blood cannot be sprinkled, the meat may not be eaten either*). And then he compares *ma'aser sheini* to *bechor*.

Tosfos (in Megillah 10a) cites the opinion of Rabbeinu Chaim that even if one maintains that the initial sanctification of the Beis HaMikdash was not for all time and it would be forbidden to offer sacrifices on the site of the Temple Altar, one is nonetheless prohibited from offering a sacrifice on a private altar.

Rashi disagrees and holds that if the sanctity of the Beis HaMikdash ceased by its destruction, it would be permitted to offer sacrifices on a private altar nowadays.

The commentators ask on Rabbeinu Chaim: If the sanctity ceased after the destruction, why would it be forbidden to offer sacrifices on a private altar? After the destruction of Shiloh, *bamos* became permitted, so why not after the destruction of the Beis HaMikdash?

Minchas Chinuch (254:7) writes that although Yerushalayim has lost its sanctity in regards to offering sacrifices and eating *kodoshim*, the city remains the "chosen place" and the third Beis HaMikdash will be built there. This is why private altars are still forbidden. This is the distinction between Shiloh and Yerushalayim. Shiloh was not the chosen city and when the Tabernacle was destroyed, there was no vestige of sanctity left in the city and *bamos* became permitted. Minchas Chinuch states that this is the explanation as to why we are still subject to a prohibition of fearing the *Mikdash* nowadays, since it is still the chosen place although it has not retained its sanctity.

## DAILY MASHAL

Rav Meir Gruzman of Tel Aviv sent the following letter to Meoros HaDaf HaYomi: Every year I deliver a course in Judaism at a military academy. The course includes lessons on different Jewish topics from Mount Sinai up to modern-day responsa. The course does not intend to bring the participants to practice religion but to expand their Jewish knowledge. In the short time of the course we cannot cover all the subjects in Judaism and I dilute the material and concentrate on the major points or, better said, the basic matters of Judaism. Still it happens, as can happen to any teacher, that because of some question presented during the lecture I stray from the lesson and treat an unexpected topic. Thus it occurred on that winter day when over a hundred high-ranking officers were sitting before me listening to a lesson addressing the essence of prophecy and the uniqueness of the Jewish prophets. An officer raised his hand and wanted to know if in our era there are great people who can somehow fill the role of the prophets. I was lured into the trap. I strayed from the lecture and began to describe the special attributes of the 36 *tzadikim* in each generation, the greatness of the sages and halachic authorities, the sanctity of the Chassidic leaders and the special qualities of the kabbalists. I mentioned no names and certainly didn't indicate any contemporary *tzadikim*. For a moment it seemed that my reply satisfied the questioner and that I could return to where I was interrupted. But no. A paratrooper officer by the name of Samuel with the rank of Lieutenant Colonel stood up and said, "The lecturer spoke about Chassidut and its personalities in theory like an objective researcher but I want to recount a personal story.

"I was born in Bucharest to parents who were far from religious observance. The communist era worked its influence and my parents' estrangement from Judaism matched the general atmosphere in the Romanian capital.



"I spent the first three years of my life like any healthy infant but then I began to faint and lose consciousness on hearing any loud sound. It sufficed if a glass fell and broke for me to pass out. The noise of a bus would also cause me to faint. Any loud noise, as common as it may be, caused me to lose consciousness. "My parents were frightened by the phenomenon and took me to various doctors. The doctors on their part conducted all possible examinations. They examined my ears, nerves, brain and every part of my body. The results were zero and the riddle remained. "My parents got special permission to travel to Vienna and West Berlin to find a remedy. I remember that while traveling, they covered my ears with thick layers of cotton-wool to protect me from any noises but still I fainted several times. As could be expected, they found no remedy for my illness even in those cities. The doctors gave up. I won't forget my mother's later telling of her depression and helplessness when she returned with me to Bucharest after the doctors informed her that there was nothing more to be done.

"One day, when my mother was recounting her misfortune to a friend, the friend asked if we had been by the *tzadik*. My mother, who'd never visited a *tzadik* and for whom the term was merely archaic, opened her eyes wide in wonder. Still, she started to take interest in the *tzadik* and his address and, especially, in his ability to heal my illness. Her friend praised the *tzadik* highly and even recounted many personal facts about the salvations which her family experienced through him. "What doesn't a mother do for her sick son? Believing or not, when we seek an anchor, we're even ready to grasp a leaf. Thus my mother thought, and decided to visit the *tzadik* with me. It was late in the afternoon when we arrived. The *gabai* let us into the *tzadik's* room and my mother began to recount her troubles. I remember that, as a child of about four years old, I looked at him. He shone with purity, his eyes were kind, soft and merciful, and his visage expressed responsibility, concentration and seriousness. That's what an angel looks like, I thought. "He took much interest in my illness, the doctors who treated me and the medical centers that I visited. Once he got a full picture of my situation, he thought for a moment and asked my mother if I had been redeemed as a firstborn. My mother wondered and asked the meaning of the term. She had never heard of such a ceremony. The *tzadik* patiently explained how the mitzvah is performed and its significance and suggested that she wait till *minchah* time when a *minyan* would arrive. Then he would arrange a *minyan* with a *kohen* to observe the mitzvah. I remember that after the ceremony the *tzadik* gave me his hand and wished me that in the merit of the mitzvah I would be healed, as he added the fateful word 'immediately'!

"From that moment my fainting spells stopped and I became an ordinary healthy child. The layers of cotton were removed from my

ears, the windows at home were opened and loud noises no longer harmed me."

The audience avidly listened to the story and I saw that his words made an impression. From all sides came the expected question – "Who was the *tzadik*?" – and Samuel quickly replied, "The Rebbe of Bohush, who now lives at Sdeirot Rothschild 112 in Tel Aviv." He added, "For years I and my family visit the Rebbe on the eve of Rosh HaShanah to be blessed for the new year."

Meanwhile Samuel left the army and opened a shop for car parts in South Tel Aviv. I hadn't met him since, till the Rebbe's funeral when I saw him at the entrance to the cemetery in Nachalat Yitzchak, weeping bitter tears...