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Courtyard Floor regarding Blood

Rava said: Rabbi Yehudah admits with respect of blood (*that although he maintains that the Courtyard floor is sanctified with respect to the burning of the sacrificial parts, he concedes that the blood of the offerings could not be sprinkled there*). This is as was taught in a *Baraisa*: The *Kohen* used to fill a cup with the mingled blood (*from all the pesach offerings, including blood that might have spilled before the sprinkling, which would cause that the owner of this korban did not fulfill his obligation*) and sprinkle it once against the base of the Altar (*the location where the blood from all pesach offerings are applied; this is valid, for we assume that this cup of blood will contain at least a drop of the spilled blood*). Now, if he would hold that the Courtyard floor is valid for the sprinkling of the blood, why would this be necessary? The *mitzvah* (*of sprinkling the blood*) has been accomplished (*even when it is spilled onto the floor*)!?

The *Gemara* challenges the proof: Perhaps it must be poured through the strength of a man!?

The *Gemara* asks that if so, the *Kohen* should pick up the blood and throw it back onto the floor!?

The *Gemara* answers that perhaps they wanted to fulfill the *mitzvah* in the best possible way (*by pouring it onto the Altar*). (60a2)

Damaged Altar

Rabbi Elazar said: If the Altar was damaged, the remainder of the *minchah* offering cannot be eaten because of it. This is because it is written: And eat it unleavened beside the Altar. Now, did they eat the *minchah* beside the Altar? [*There is no such halachah!*] Rather, it means that when it is whole, it may be eaten, but when it is damaged, it cannot.

We have found a source regarding the remainder of a minchah; how do we know that this applies by other *kodshei kodashim* (*besides the minchah*) as well? The Torah states: a most holy offering. And how is it known regarding *kodshei kalim*?

Abaye said that an exposition of Rabbi Yosi, taught in the following *Baraisa*, teaches us that this applies by *kodashim kalim* as well: 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 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 *Gemara* 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 Yerushalyim, and only when the Beis HaMikdash is standing – so too, ma'aser sheini should be the same*)?

The *Gemara* 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*). (60a2 – 60b2)

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

The *Gemara* 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 *Gemara* 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*). (60b2 – 60b3)

When Ravin went up (*to Eretz Yisroel*), he said over this teaching (*of Abaye that kodashim kalim cannot be eaten when the Altar is damaged*) in front of Rabbi Yirmiyah, whereupon he observed: The Babylonians are fools. Since they dwell in a land of darkness they teach dark teachings. Have they not heard what was taught in the following *Baraisa*: During the dismantling of the Mishkan on their journeys, sacrifices became unfit (*for consumption; and the Gemara thinks that this is because the Altar has been removed from its place*), and *zavin* and *metzoraim* were sent out of the camps (*even though they were traveling, the camps remained intact, and a metzora had to leave all three camps, whereas a zav had to leave the Levites' Camp*).

Whereas another *Baraisa* taught: Sacrifices may be eaten in two places (*when the Mishkan was standing and when it was dismantled as well*)! Surely then, the answer must be that the

first *Baraisa* refers to *kodshei kodashim* (*which cannot be eaten while they were traveling*), and the latter one refers to *kodashim kalim* (*which may be eaten; this challenges Abaye's ruling*)!?

Ravina answers: Both *braisos* refer to *kodashim kalim*, yet there is no difficulty, for the first *Baraisa* follows the opinion of Rabbi Yishmael, and the second *Baraisa* is in accordance with the Rabbis. (60b3 – 61a)

INSIGHTS TO THE DAF

The Chosen City

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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

Scholars in Bavel and Eretz Yisroel

The *Gemara* in *Sanhedrin* (24b) contrasts the approach to learning of the scholars of *Eretz Yisroel* to the approach of the scholars of Bavel. The scholars of *Eretz Yisroel* learned with calmness and patience, while the scholars of Bavel learned with forcefulness and roughness.

The *Gemara* concludes with the teaching of Rabbi Yirmiyah who explains that the verse which says, "He placed me in darkness, like those who are dead forever" (Eichah 3:6), refers to the Talmud of Bavel.

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The words of Rabbi Yirmiyah imply that the Talmud of Bavel is inferior to what was studied in *Eretz Yisroel* at the same time. As Rashi writes, since the scholars were not patient with each other, they did not reach clear conclusions. Why, then, does the *halachah* always follow the ruling of the Talmud Bavli whenever it disputes the ruling of the Talmud Yerushalmi?

The Rif (end of Eruvin) writes that the *halachah* follows the rulings of the Talmud Bavli because the scholars in Bavel were familiar with the Talmud Yerushalmi (because it was compiled earlier). They argued with the ruling of the Yerushalmi only when they had a tradition that the Yerushalmi's ruling in that matter was not reliable (either because the Amora'im themselves changed their minds, or because the ruling was not properly recorded).

Rabbeinu Chananel in Sanhedrin disagrees with Rashi and explains that Rabbi Yirmiyah is *praising* the Talmud Bavli. Rabbi Yirmiyah is saying that its arguments are so deep, profound, and hidden that it is comparable to the depths of the sea. Accordingly, Rabbi Yirmiyah's statement is consistent with the statement of Rabbi Yochanan which precedes it, which seems to be extolling the praises of the Talmud Bavli.

This is also the way Rashi n Chagigah (10a) explains the meaning of Rabbi Yirmiyah's statement here. The Talmud Bavli is so deep that it is much more difficult to understand than the Talmud Yerushalmi. However, its level of scholarship might be higher.

The Ritva in Yoma (57a, cited by the footnote in the Vilna Shas) quotes a Teshuvah of the Rambam in which the Rambam explains that Rabbi Yirmiyah was following his own opinion as expressed elsewhere. In Zevachim (60b) and other places Rabbi Yirmiyah said of the scholars of Bavel that "since they live in a dark land, they make dark (unclear, mistaken) statements." Rabbi Yirmiyah maintained that the people of Bavel did not learn with clarity. Similarly, the *Gemara* in Bava Metzia (85a) relates that Rabbi Zeira, who also went from Bavel to *Eretz Yisroel*, fasted for 100 days so that Hashem would help him forget the Torah that he had learned in Bavel. In addition, Rabbi Zeira stated that "the air of *Eretz Yisroel* makes a person wise" (Bava Basra 158b). The Rambam implies that others argued with this approach. Indeed, Rav Yehudah argued with Rabbi Zeira and maintained that one is prohibited to leave Bavel to go to *Eretz Yisroel* (Kesuvos 111a), because Bavel was the center of Torah learning.

This is also the implication of Rabbi Yochanan's statement in the *Gemara* here. He means that the Talmud Bavli is a mixture of the three major areas of Torah.

How can the scholarship of Bavel be greater than that of *Eretz Yisroel*, when the *Gemara* explains that in Bavel the learning was done in a much rougher manner than in *Eretz Yisroel*? The answer is that the Amora'im in Bavel maintained that it is better to learn in a fiery, excited way, and that by doing so it is more likely that the truth will be uncovered. This is why Rava teaches that if a Torah scholar becomes angry it is because "the fire of Torah is burning within him" (Ta'anis 4a). Rava himself learned with such intensity that he caused his fingers to bleed (Shabbos 88a). Rav Ashi teaches that a Torah scholar must be "as hard as steel" (Ta'anis 4a). Rish Lakish and Rabbi Yochanan teach that a Torah scholar who does not strike like a serpent to avenge the honor of the Torah is not a proper Torah scholar (Shabbos 63a, Yoma 23a). This is why the *halachah* follows the rulings of the Talmud Bavli.

The Rambam cited by the Ritva adds that even according to Rabbi Yirmiyah, it was only during a certain era that the study of Torah in *Eretz Yisroel* was on a higher level than that in Bavel. The period of Rabbah and Rav Yosef in Bavel (and Rabbi Yirmiyah and Rabbi Zeira in *Eretz Yisroel*), and their students Abaye and Rava, was a very difficult period in the history of the Babylonian Jews. The Babylonians were particularly vicious in their decrees against the Torah (see Gittin 17a, Chulin 46a). Consequently, the scholars did not have the peace of mind necessary for total immersion in and concentration on learning Torah. Later, though, in the period of Ravina and Rav Ashi, there was relative tranquility in Bavel, and the level of the Talmud of Bavel therefore surpassed that of *Eretz Yisroel*. That is why the *halachah* follows the rulings of the Talmud Bavli.

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