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Nov and Giveon

The *Mishnah* had stated that when they came to Nov and Giveon, *bamos* became permitted again.

From where is this known? The *Gemara* cites a *Baraisa*: It is written: *For you have not yet come to the resting place and to the inheritance: to the resting place* alludes to Shiloh; *inheritance* alludes to Jerusalem. Why does the Torah separate them? It is in order to grant permission between one and the other (*that bamos will be permitted after Shiloh, but before Jerusalem*). (119a1)

Rish Lakish asked Rabbi Yochanan: If so, let the *Mishnah* teach *ma'aser sheini* as well (*that it should be brought to Nov and Giveon and eaten there; why is it stated that it can be eaten anywhere in the Land*)!?

Rabbi Yochanan replied: As for *ma'aser sheini*, we derive a *gezeirah shavah* of 'there' -- 'there' written in connection with the Ark. Since there was no Ark there (*for it resided in Kiryat Ye'orim and afterwards – Ir David*), there was no *ma'aser sheini* either.

Rish Lakish retorted: If so, the *pesach* offering and other (*communal*) sacrifices (*that have a fixed time, which are only offered on the major bamah*) should be the same, for we should derive a *gezeirah shavah* of 'there' -- 'there' written in connection with the Ark; and since there was no Ark, these too should not be offered (*only in Nov and Giveon, but throughout the Land of Israel*)!?

Rabbi Yochanan replied: The *Mishnah* is in accordance with Rabbi Shimon, who maintains that even the public could only

offer (*on a major bamah*) *pesach* offerings and obligatory offerings which have a fixed time, but obligatory offerings for which there was no fixed time might not be offered at either place. Now, *ma'aser* from animals is an obligatory offering without a fixed time (*and therefore was not offered at Nov and Giveon*), and *ma'aser* from grain (*ma'aser sheini*) is compared to *ma'aser* from animals (*and just as ma'aser from animals was not offered at Nov and Giveon, so too ma'aser sheini was not eaten in Nov and Giveon*).

The *Gemara* asks: It therefore follows that according to Rabbi Yehudah (*who holds that obligatory offerings of an individual may be offered on the major bamah*), *ma'aser* from animals may be offered (*in Nov and Giveon; and through comparison, ma'aser sheini could only be eaten in Nov and Giveon*)!? [*Is this correct?*]

The *Gemara* answers: Yes it is. For surely Rav Adda bar Masnah said: *Ma'aser sheini* and *ma'aser* from animals must be eaten in Nov and Giveon only – according to Rabbi Yehudah's opinion.

The *Gemara* asks: Yet surely a *birah* (*Divine Abode*) was required (*for the eating of ma'aser sheini; and since there was no Ark in Nov and Giveon, it should be excluded*)!?

The *Gemara* answers: Didn't Rav Yosef cite a *Baraisa*: There were three Divine Abodes: at Shiloh, at Nov and Giveon (*even without the presence of the Ark*), and at the Eternal House!? He reported it, and he explained it: These were in respect to *ma'aser sheini* and in accordance with Rabbi Yehudah. (119a1 – 119a2)

Shiloh and Jerusalem

The *Mishnah* had stated: When they came to Jerusalem, the *bamos* were forbidden, and were never again permitted, and that constituted the “inheritance” (*mentioned in the Torah*).

The *Gemara* cites a *Baraisa* which records a *Tannaic* dispute as to the allusion in the verse: *For you have not yet come to the resting place and to the inheritance*: Rabbi Yehudah maintains that *to the resting place* alludes to Shiloh; *inheritance* alludes to Jerusalem. Rabbi Shimon holds: *resting place* alludes to Jerusalem; *inheritance* alludes to Shiloh. And thus it says: My inheritance has become to Me as a lion in the forest; and it says: Is My inheritance to Me as a speckled bird, that the birds gather round about her? These are Rabbi Yehudah's words. Rabbi Shimon said: ‘Resting place’ alludes to Jerusalem; ‘inheritance’ to Shiloh, as it is said: This is My resting place forever and ever; here I will dwell, for I have desired it; and it says: For Hashem has chosen Zion; He has desired it for His habitation.

The *Gemara* asks: According to the view that ‘resting place’ alludes to Shiloh, it is well: hence it is written, ‘to the resting place and to the inheritance’ (in that precise order), but according the view that ‘resting place’ alludes to Jerusalem while ‘inheritance’ alludes to Shiloh, it should say: ‘to the inheritance and to the resting place’? — This is what he said: Not only have you not reached the ‘resting place’ [Jerusalem]; you have not even reached the ‘inheritance’ [Shiloh].

The Academy of Rabbi Yishmael taught a *Baraisa*: Both words allude to Shiloh. Rabbi Shimon ben Yochai said: Both words allude to Jerusalem.

The *Gemara* asks: According to the view that ‘resting place’ alludes to Shiloh and ‘inheritance’ alludes to Jerusalem, or even according to the reverse, it is well: hence it is written, ‘to the resting place and to the inheritance’ (two different words), but according the view that both words alludes to Shiloh, or that both words allude to Jerusalem, Jerusalem while ‘inheritance’ alludes to Shiloh, it should say: ‘to the resting place and the

inheritance’ (without the second ‘to’)? — This is indeed a difficulty.

The *Gemara* asks: It is well if they both allude to Shiloh, for *resting place* means when they rested from the conquest, and it is called *inheritance* because there they are dividing the inheritance of each tribe, as it is written: And Joshua apportioned for them, and he cast lots for them in Shiloh according to the word of Hashem; but according to the opinion that they both allude to Jerusalem, *inheritance* is understood to mean the eternal inheritance; but why is it referred to as the *resting place*?

The *Gemara* answers: It was the place where the Ark rested, as it is written: And it came to pass when the Ark rested.

The *Gemara* asks: It is well if they both allude to Jerusalem, but in Shiloh *bamos* were permitted, that is why it is written: And Manoach took the kid of the goats and the *minchah* offering, and offered them upon the rock for Hashem, but according to the view that holds both verses are alluding to Shiloh and *bamos* were forbidden in Shiloh, how can we understand the verse which states: And Manoach took etc.?

The *Gemara* answers: It was a special ruling of the moment.

The school of Rabbi Yishmael taught a *Baraisa* as Rabbi Shimon ben Yochai, who maintained: Both allude to Jerusalem. And your mnemonic is: The man drew [many] men over.¹ (119a2 – 119b1)

Bamos

The *Mishnah* had stated: All sacrifices etc. [If one consecrated them when *bamos* were permitted, and offered them up when *bamos* were forbidden, they are subject to a positive commandment and a negative prohibition, but one is not liable to *kares* on their account.]

¹ Rabbi Shimon ben Yochai, an individual, won over the school of Rabbi Yishmael to his view.

Rav Kahana said: The *Mishnah*'s ruling was learned only with respect to slaughtering; however, for offering, one would incur *kares* as well. This is based upon the verse: *And to them you shall say; concerning those just mentioned.*

Rabbah asked: It could be understood to mean, 'concerning those laws' if it would be written, "*upon them*" (*aleihem* – with an "ayin"); however, it is written "*to them*" (*aleihem* – with an "alef")! Furthermore, it was taught in a *Baraisa*: Rabbi Shimon stated four general rules about sacrifices: All sacrifices that were consecrated when *bamos* were forbidden, and slaughtered or offered up outside when *bamos* were forbidden are subject to a positive commandment and a negative prohibition, and one is liable to *kares* on their account. If one consecrated them when *bamos* were permitted, and slaughtered them or offered them up when *bamos* were forbidden, they are subject to a positive commandment and a negative prohibition, but one is not liable to *kares* on their account. If one consecrated them when *bamos* were forbidden, and slaughtered them or offered them up when *bamos* were permitted, they are subject to a positive commandment, but are not subject to a negative prohibition. If one consecrated them when *bamos* were permitted, and slaughtered them or offered them up when *bamos* were permitted, he is exempt from all punishment. [*The Baraisa contradicts Rav Kahana's teaching!?*] The *Gemara* concludes that Rav Kahana is indeed refuted. (119b2)

The *Mishnah* had stated that the following services were not required when sacrifices were offered on a private *bamah*: *Semichah*, slaughtering on the north side, sprinkling the blood all around the altar, waving the *minchah* offering and bringing it near.

The *Gemara* cites the Scriptural sources for these *halachos*. *Semichah* [is not practiced at a private *bamah*] because it is written . . . before Hashem, and he shall lay his hand. Slaughtering in the north, because it is written: [And he shall slaughter it on the side of the altar] northward before Hashem. [Blood] applications all around [the altar], because it is written: And he shall sprinkle the blood all around the altar [that is at the door of the Tent of Meeting]. Waving, because it is written: To

wave it for a wave-offering before Hashem. Bringing it near, because it is written: The sons of Aaron shall bring it near it before Hashem, in front of the altar. (119b2)

The *Mishnah* had stated: Rabbi Yehudah says: There was no *minchah* offering on a *bamah*.

Rav Sheishes said: According to the view that there were *minchah* offerings at the private altars, there were bird offerings there as well; according to the view that there were no *minchah* offerings, there were no bird offerings either. What is the reason for this? It is written: *Animal offerings*, which implies that there weren't *minchah* offerings; and accordingly, it implies that there weren't bird offerings as well. (119b2 – 119b3)

The *Mishnah* had stated that the following services were not required when sacrifices were offered on a private *bamah*: *Kehunah*, priestly vestments, service vessels, pleasing aroma (*it could not be roasted before being placed on the altar*), the separating line (*between the upper part of the altar and the lower part*) for the blood, the washing of the hands and feet.

The *Gemara* cites the Scriptural sources for these *halachos*. *Kehunah*, because it is written: And the Kohen shall sprinkle the blood [on the altar of Hashem at the door of the Tent of Meeting]. Priestly vestments, because it is written: [And they – the priestly vestments shall be upon Aaron, and upon his sons . . .] to minister in the holy place. Service vessels, because it is written: [The vessels of ministry], with which they minister in the sanctuary. Pleasing aroma, because it is written: A sweet aroma to Hashem. The separating line (*between the upper part of the altar and the lower part*) for the blood, because it is written: That the meshwork may reach halfway up the altar. The washing of hands and feet, because it is written: And when they came near to the altar, they should wash. (119b3)

Rami bar Chama said: The *Mishnah*'s ruling (*that there was no separating line by a minor *bamah**) was only learned regarding sacrifices of a minor *bamah* (*that were intended to be offered there*) which were offered at a minor *bamah*; however, regarding sacrifices of a minor *bamah* (*that were intended to be*

offered there) which were offered at a major *bamah*, a separating line was required.

Rabbah asked from a *Baraisa*: The waving and giving the chest and right thigh to the *Kohen* and donating breads of a *todah* sacrifice apply to the sacrifices of a major *bamah*, but does not apply to the sacrifices of a minor *bamah*. [Seemingly, this halachah is true even if it was offered on a major *bamah*; and accordingly, the same should apply to the separating line!?]

The *Gemara* answers: The *Baraisa* should be emended to say that these requirements apply to a major *bamah*, but does not apply to a minor *bamah*. [The critical factor is where they are offered; not how they were consecrated.]

The *Gemara* cites a different version: Rami bar Chama said: The *Mishnah*'s ruling (that there was a separating line by a major *bamah*) was only learned regarding sacrifices of a major *bamah* (that were intended to be offered there) which were offered at a major *bamah*; however, regarding sacrifices of a minor *bamah* (that were intended to be offered there) – even if they were offered at a major *bamah*, a separating line was not required.

The *Gemara* attempts to provide support to this ruling from the *Baraisa*: The waving and giving the chest and right thigh to the *Kohen* and donating breads of a *todah* sacrifice apply to the sacrifices of a major *bamah*, but does not apply to the sacrifices of a minor *bamah*. [Seemingly, this halachah is true even if it was offered on a major *bamah*; and accordingly, the same should apply to the separating line!]

The *Gemara* deflects the proof: The *Baraisa* should be emended to say that these requirements apply to a major *bamah*, but does not apply to a minor *bamah*. [The critical factor is where they are offered; not how they were consecrated.]

The *Gemara* notes that this version disagrees with Rabbi Elazar, for Rabbi Elazar said: If one took an *olah* offering of a minor *bamah* inside (to a major *bamah*), its partitions receive it in respect of all things. (119b3 – 119b4)

DAILY MASHAL

For you have not arrived at the resting place (Shiloh) and the heritage (Yerushalayim)

The term resting place implies a lesser permanence than heritage, and we might assume that the Beis Hamikdosh in Yerushalayim had a greater holiness than the Mishkan in Shiloh. However, we find that in the context of eating Kodshim Kalim, the parameters of Yerushalayim were contained by the wall of the city, whereas in Shiloh Kodshim Kalim was eaten anywhere within eyesight.

The Shem Mishmuel explores the differences in the physical makeup of the different locations of the Mishkan and the Beis Hamikdash. The three lowest forms of creation are *domem* – inanimate objects, *tzomeach* – flora that grows, and *chai* – living creatures. The first instance of the Mishkan was in the desert and it was built from higher forms of creation. Only the very bottom part of the walls, the *adonim*, were from inanimate objects, the walls of kerashim were made out of wood which comes from *tzomeach*, and the roof was primarily animal skins which comes from *chai*. When the Mishkan was established in Shiloh, the walls were entirely built out of stone, which is *domem*, and the roof remained the same animal skins from *chai*. In its final location in Yerushalayim, the walls were stone, the roof was wood, i.e. *tzomeach*, with a 1-amah thick layer of lime which is once again *domem*. We see that in each successive instance, there was a greater manifestation of its purpose of bringing the holiness of the *Shechinah* into the world of physicality. This is in line with the comparative permanence of heritage versus resting place.

At the same time, since in Shiloh the holiness was less constrained into physicality, it manifested more openly and therefore Kodshim Kalim were able to be eaten anywhere within eyesight, as opposed to Yerushalayim where the holiness was clothed in a more physical structure, the holiness was more contained.