

## OVERVIEW of the Daf

### 1) A Metzora's asham

A Baraisa is cited that supports R' Yochanan's ruling that a metzora's asham that was slaughtered with invalid intention requires nesachim.

2) **MISHNAH:** The Mishnah begins with a statement that measures were generally heaped except for the Kohen Gadol's measure. The next discussion in the Mishnah relates to whether the content that extends above the brim is sacred.

### 3) Heaped measures

R' Chisda explains how the Mishnah follows R' Meir's opinion that there was a single heaped measure and reinterprets one of the words of the Mishnah to fit better with this explanation.

### 4) Contents above the brim

The Gemara explains the point of dispute among the three Tannaim regarding the contents that extend over the brim.

The explanation of R' Yosi's position is challenged.

Two resolutions to the challenge are recorded.

R' Zeira unsuccessfully challenges the second resolution (Ravina's).

### 5) Extra nesachim

A Mishnah in Shekalim teaches that extra nesachim are used for the dessert of the altar.

Two explanations are suggested for the Mishnah's reference to "extra nesachim."

A Baraisa is cited in support of each of these opinions.

6) **MISHNAH:** The Mishnah teaches which korbanos re-

(Continued on page 2)

## Distinctive INSIGHT

### *The Mitzvah of Shalmei Simcha*

אוציא את החובות הבאות מחמת הרגל ברגל

The Gemara begins by clarifying the source for the ruling in the Mishnah regarding which offerings require nesachim, and which do not. The verse in Bamidbar (15:3) is analyzed, word by word, to show that certain offerings are included in the law of nesachim, while others are excluded from this procedure. The Gemara notes that, as a rule, elective offerings are where nesachim are necessary, whereas obligatory offerings are excluded. This excludes bechor, ma'aser, Pesach, chattas and asham. Nevertheless, the obligatory offerings of the festivals of olas r'iyah and shelamim of Chagiga do require nesachim, due to the word "או במועדיכם," but this still does not include the chattas goats of the musaf of the holidays.

Rambam (Hilchos Chagiga 1:1) writes that there are three mitzvos which we are commanded to do each Festival. One must bring an olah, known as a Olah Re'iyah, bring a Chagiga offering, and shelamim, known as Shalmei Simcha. The mitzvah of Re'iyah is to appear in the courtyard of the Mikdash on the first day of the Yom Tov and bring an olah. The Chagiga is a shelamim offering, from which we are furnished with a supply of meat for our families to enjoy the Yom Tov, and the Shalmei Simcha are additional shelamim offerings brought as necessary, as the verse states, "You shall bring shelamim and eat from them there, and you shall rejoice before God, your Lord."

Rambam lists three offerings that are to be brought each festival. It is noteworthy, therefore that our Gemara only mentions nesachim in reference to two offerings, and it omits any reference to the Shalmei Simcha. This gives rise to the discussion among the Achronim whether there was a specific obligation for a person to actually bring Shalmei Simcha during the festival, or if bringing this additional shelamim was only optional, to be brought only as needed as a source for additional meat for one's family to eat.

Aruch LaNer (to Sukkah 48b) inquires whether the mitzvah of Shalmei Simcha is the bringing of the offering or if it is the eating of its meat, or if the mitzvah is the combination of the two. A practical difference would be whether a person could fulfill his obligation with partaking of meat of his neighbor's offering, or if one would have to offer a new shelamim each day. Turei Even (Rosh HaShana 6b; Chagiga 7b) holds that there is no special obligation for a person to bring a shelamim of simcha, whereas Imrei Baruch writes that one should bring a shelamim of simchah at least once each Festival. ■

## REVIEW and Remember

1. What are בירוציהן?

2. What is the point of dispute between Tanna Kamma, R' Akiva, and R' Yosi?

3. Which korbanos do not require nesachim?

4. What is the point of dispute between R' Yoshaya and R' Yonasan?

# HALACHAH Highlight

## The sanctity of the leftover oil of the Chanukah lights

כלי שרת אין מקדשין אלא מדעת

*A sacred utensil does not sanctify things without intent*

In the Gemara's discussion of the oil that rises above the brim of a sacred utensil a principle that emerges is that a person sanctifies only the oil that is needed and nothing more. Beis Yosef<sup>1</sup> points out what appears to be a contradiction between two rulings of Tur. In one place<sup>2</sup> Tur rules that once the lights burned for half an hour it is permitted to extinguish them or benefit from the light. The rationale for these rulings is that one does not sanctify the oil that is in excess of what is needed for the mitzvah. In another place Tur<sup>3</sup> rules that leftover oil from each night should be used on the following night and what is finally leftover after the eighth night should be burned since it was designated for the mitzvah of Chanukah lights and may not be used for any other purpose. This indicates that leftover oil remains sacred, which is in contrast to the previous ruling.

Beis Yosef presents two resolutions to this matter. According to one approach the difference between the two cases relates to whether the oil was used with the specific

quire nesachim and which do not.

### 7) Nesachim

A lengthy Baraisa is cited that presents the sources for the rulings in the Mishnah.

R' Yonason's exposition in the Baraisa is unsuccessfully challenged. ■

intent that the oil that is not needed should not be sanctified and a case in which one did not have this intent. In the second approach he insists that extra oil is not sacred. The second halacha that requires one to burn the leftover oil refers to where the light went out within the half hour that the light is required to remain lit, and that is the reason that the oil must be burned. Mishnah Berurah<sup>4</sup> writes that the second answer is the one that is more correct and the quantity of oil that exceeds what is needed for half an hour does not become sanctified. Nevertheless, he advocates adopting a stringent approach, that when pouring oil for the Chanukah lights one should stipulate that he does not intend to sanctify the oil that is not needed for the first half hour. ■

1. בית יוסף או"ח סי' תרע"ז ד"ה הנותר.

2. טור או"ח סי' תרע"ב.

3. שם סי' תרע"ז.

4. מ"ב סי' תרע"ב סק"ז וסי' תרע"ז ס"ק י"ח. ■

# STORIES Off the Daf

## The Wine Libation of Tefillin

"כל קרבנות הצבור והיחיד טעונין נסכים..."

We find on today's daf that most sacrifices require a libation of wine to accompany them.

A certain person was up late, learning Torah. By the time he got to sleep, there wasn't much time until he had to recite Shema. His usual practice was to wake up shortly before the time of Shema, dress quickly and say Shema on time. But there was never enough time for him to put on tefillin before reciting Shema. When he reached the sugyah in Berachos which states that one who says Shema without tefillin is compared to one who gives false testi-

mony, he was very devastated and wondered if he was required to change his habit. At the same time, he wondered if this statement was relevant to him.

He said to himself, "After all, I do put on tefillin while I daven. So perhaps it is not likened to giving false testimony. On the other hand, I don't have tefillin on when I recite God's command to bind them on your arm and head, so maybe that is the problem?"

When this question reached the Chozeh of Lublin, zt"l, he permitted the man to continue his practice. "This is clear from the very Gemara you quote. We find that saying Shema without tefillin is like bringing a sacrifice without the wine libation. But the halachah regarding a libation is that it is still valid if it is brought within ten days after bringing the sacrifice. We see

that as long as one brought the libation within its halachic time framework, the sacrifice is not considered to be without a libation. The same is true regarding Shema. Even if one said Shema without tefillin, if he put on tefillin that day as the halachah requires he is not likened to one who gives false testimony."<sup>1</sup>

The Eretz Tzvi, zt"l, proves this from the halachah in Rosh Hashanah. "From the Maharsha in Avodah Zarah 4 it is clear that one need not wear tefillin when saying Shema as long as he puts it on afterwards. He explains how we say יום תרועה during shachris before blowing shofar. Since we will blow later, this is not considered false testimony. The same is true regarding tefillin."<sup>2</sup> ■

1. עמק יהושע אחרון, דף קנ"ט ע"ב

2. שו"ת ארץ צבי—פראמר, סי' ל"ג ■