

OVERVIEW of the Daf

1) The length of time for each Mishkan (cont.)

The Gemara continues to provide the source for the statements in the Mishnah regarding the permissibility of bamos in different eras.

Reish Lakish inquired about where ma'aser sheni could be consumed during the era of Nov and Givon.

R' Yochanan offered a response to that inquiry.

The Gemara records the subsequent discussion between Reish Lakish and R' Yochanan about this matter.

2) "The resting place" and "the inheritance"

A Baraisa records different opinions about what was considered "the resting place" and what was considered "the inheritance."

One of the two opinions is unsuccessfully challenged.

Two additional opinions about these definitions are recorded.

These latter two opinions are successfully challenged.

Each of the latter two opinions is unsuccessfully challenged.

3) Korbanos sanctified when bamos were permitted

R' Kahana asserts that the Mishnah's ruling that there is no kares for offering outside of the Beis HaMikdash sanctified when bamos were permitted is limited to slaughtering but if one offered the korban he would incur the punishment of kares.

This assertion is successfully challenged.

4) Clarifying the Mishnah

The sources for the differences between a private bamah and the communal bamah are presented.

R' Sheishes asserts that the permissibility of offering Minachos and birds on private bamos are related.

Additional sources for the differences between a private bamah and the communal bamah are presented.

Rami bar Chama qualifies the Mishnah's statement related to whether the rules of the red line applied to a bamah.

This qualification is unsuccessfully challenged.

A second version of Rami bar Chama's qualification is recorded.

A proof to this qualification is suggested but rejected.

It is noted that the second version of Rami bar Chama's teaching is at odds with R' Elazar. ■

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 In loving memory of our mother
 Mindel bas Eliezer, oleho hasholom,
 Mrs. Mildred Gerber o.b.m.
 by her children Mr. and Mrs. Alan Gerber

Today's Daf Digest is dedicated
 By Dr. and Dr. Ron Sanders
 In loving memory of their father
 ר' ראובן בן ר' זונדל, ע"ה

Distinctive INSIGHT

No washing from the kiyor before service on a private bamah

ריחויץ ידים דכתיב ובקרבנתם אל המזבח ירחצו

The Mishnah taught that when service is done on a private bamah there is no mitzvah to wash one's hands and feet before doing the service, as we found was done by the kohanim before they served in the Mishkan. This is learned from the verse regarding washing from the kiyor, mentioned in Parashas Pikudei (Shemos 40:32), "when they come to Ohel Moed and when they come close to the Altar," which teaches that washing from the kiyor is only required when the service is done on the public Altar, and not when it is done at a private bamah.

In his Commentary to the Mishnah, Rambam cites a different verse than the one brought in the Gemara as the source for this halacha. Rambam quotes the verse from the beginning of Parashas Ki Sisa (Shemos 30:20), "When they come to the Ohel Moed they shall wash with water that they not die." Ayeles HaShachar notes that there are two aspects to the preparatory procedure of washing. One is that it prepares a kohen to enter the Ohel Moed, and this is emphasized in the verse from Ki Sisa. The other aspect is that washing is a preparation necessary before a kohen approaches to serve at the Altar. This second aspect is noted in the verse in Pikudei. The verse cited by Rambam is not only different than the one which the Gemara mentions, but the Rambam's source does not directly cover the requirement to wash before approaching the Altar, which is the point which our Gemara is discussing. This matter needs clarification.

Furthermore, Sfas Emes asks why the Mishnah needs to point out that washing is not needed before service on a private bamah, when we already know that the services of a kohen were

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REVIEW and Remember

1. How many "abodes" are there?
2. What is intended in the terms of מנוחה and נחלה?
3. What are R' Shimon's four halachos regarding kodashim?
4. Are bird korbanos offered on private bamos?

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 In loving memory of Bracha Elisheva bas Menachem
 by Mr. and Mrs. Michael Segelstein, Las Vegas, NV

HALACHAH Highlight

Using a lottery to divide responsibilities

The term *נחלה* because they apportioned the inheritances

The Gemara teaches that Yehoshua apportioned the land of Israel to the tribes by lottery. There is a dispute whether the use of a lottery by heirs or partners to divide jointly-owned property is effective without an additional proprietary act. Shulchan Aruch¹ following Rambam's position maintains that a lottery not only determines who receives which portion but it also constitutes a proprietary act and once the lottery was drawn neither party may retract. Rema², on the other hand, follows Rosh's position that a lottery only determines who has the right to which portion but a separate proprietary act is necessary to acquire that property.

Teshuvos Maseis Binyomin³ writes that if a mistake was made in the lottery, it is void. Even a proprietary act that was mistakenly performed is void, so certainly a lottery that is not even a proprietary act is void if a mistake was made. Although a lottery was used to divide Eretz Yisroel and no additional proprietary act was performed, this has no bearing on other lotteries since the lottery to divide Eretz Yisroel was guided by ruach hakodesh and the urim v'tumim. Teshuvos Beis Shlomo⁴ raises a difficulty with this assertion. The Gemara Bava Basra (106b) derives the halachos of dividing jointly-owned property from the division of Eretz Yisroel. This indicates that the fact that the division of Eretz Yisroel included ruach hakodesh and the urim v'tumim is not significant in terms of the laws of dividing property.

Teshuvos Shevet Halevi⁵ was asked whether a lottery used to divide responsibilities or determine who will say kaddish has any halachic force. He responded that even according to those who

"נחלה" דפלו התם נחלות

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not necessary at a private bamah. The reason service in the Mikdash was unacceptable without washing is that a kohen who does not wash is considered to be a non-kohen at that point. After we determine that a non-kohen is permitted to serve at a private bamah, we already know that washing before serving is not essential. What is the additional lesson which the Mishnah is making?

Sefer Dam Zevachim explains that although there is no requirement for a kohen to serve at a private bamah, if a kohen does avail himself for service we might have thought that he must wash before serving. In other words, we would have said that the service of a kohen must always be prepared with washing, and his service is disqualified if he serves without washing. The lesson of the Mishnah is that this is not the case, and no washing is necessary for anyone who serves at a private bamah, including a kohen.

Ayeles HaShachar answers that without the verse we might have said that although it is not necessary to wash before serving, perhaps there is a mitzvah to do so nonetheless, and that it would be admirable for one to wash before serving. The lesson of the verse is that there is no such requirement at all. ■

maintain that a proprietary act is necessary in addition to a lottery would agree in these cases that the lottery by itself is binding. The use of a lottery for these purposes is to avoid fighting and is similar to the enactment employed in the Beis HaMikdash to use a lottery to determine which kohen had the right to perform a particular service. ■

1. שו"ע חו"מ סי' קע"ג סעי' ב'.

2. רמ"א שם.

3. שו"ת משאת בנימין סי' ז'.

4. שו"ת בית שלמה חו"מ סי' מ"ט הג"ה מבן המחבר.

5. שו"ת שבט הלוי ח"ז סי' ט"ז. ■

STORIES Off the Daf

From Zevachim to Menachos

"מנוחת ארון..."

In 1928, shortly after the massacre in Chevron, the Daf HaYomi seder had completed Meseches Zevachim for the first time. As always, the hadran delivered by Rav Meir Shapiro of Lublin, zt"l, made a huge impression and imparts inspiration to this day. "Today we celebrate the Daf HaYomi's first siyum of Meseches Zevachim. During the first congress of Agudas Yisrael, the Daf HaYomi was a fleeting dream, a hopeful vision. Today it has become a reality. I have traveled all over the world and have found groups everywhere, studying the daf daily.

"It is no accident that this Agudah congress has begun on the day when we make the siyum of Zevachim. We find on daf 119 that Menuchah alludes to menuchas ha'aron, while Nachalah refers to nachalas olamim. If we wish to come to our nachalah, our eternal inheritance, we must first have menuchas ha'aron—those who bear the holy ark by learning Torah must have peace."

Rav Shapiro cried, "As of yet we have not merited to come to the nachalah of our fathers. We have so much to mourn. We must mourn the holy cities of Yehudah, our holy Beis HaMikdash which has been destroyed, and the burning of sifrei Torah. It is with a sundered heart that we must mention tonight our causes to mourn: the cities of Yehudah, the settlements and towns that

have been destroyed by the enemy. The Beis HaMikdash that has been destroyed: they even wish to steal the Kosel HaMa'aravi, the final vestige of our holy temple, from us. The burning of sifrei Torah: the bochurim who have been cruelly murdered. It is a dangerous time for Yaakov; a time when precious bochurim are burned along with their Torah. The very same Torah through which they could have lit up the world today which is so filled with darkness."

Rav Meir raised his voice, "Today we complete Meseches Zevachim! We beg of You, Hashem, please let there be an end to the slaughter! Instead, allow us to bring Menachos! Menuchas ha'aron and menuchas olamim, hand in hand."¹ ■

1. אמרי דעת, ח"ב, ע' רל"ד. ■