

כתב רחמנא: "לא תוכל" לאזקמה בלאו.

reason that the Merciful One writes: "You may not eat" (Deuteronomy 12:17), to establish the consumption of second-tithe produce outside Jerusalem as a prohibition.

ועדיין לאו שבכללות הוא! אם כן, נימא קרא "לא תוכל לאכלם בשעריך", "מעשר דגנך תירשך ויצהרך" למה לי? ליחודי אבילה דכל חד וחד.

The Gemara challenges: **But still, it is a general prohibition**, as all three types of second tithe are included in a single command. The Gemara explains: **If so, that one receives only one set of lashes, let the verse say: You may not eat them within your gates**, as a previous verse already stated "your tithes" (Deuteronomy 12:11). **Why do I need the verse to specify: "The tithe of your grain, of your wine, and of your oil"?** This serves to designate a prohibition and the punishment of lashes for the consumption of each and every type of produce.

אמר רבי יצחק: האוכל לחם קלי וברמל – לוקה שלש. והא אין לוקין על לאו שבכללות! שאני הכא דמיתר קראי.

§ Rabbi Yitzhak says: **One who eats bread, parched grain, and fresh stalks**⁴¹ before the *omer* offering has been sacrificed is flogged with three sets of lashes, as it states: "And you shall eat neither bread, nor parched grain, nor fresh stalks until this day itself, until you have brought the offering of your God; it is a statute forever throughout your generations in all your dwellings" (Leviticus 23:14). The Gemara raises a difficulty: **But one is not flogged for transgressing a general prohibition.** The Gemara answers: **It is different here, as the verses are superfluous**; the verse did not need to specify these three types of grain products.

לימא קרא לחם, ונילף קלי וברמל מיניה. איבא למיפרך: מה ללחם שכן נתרבה אצל חלה!

The Gemara tries to ascertain which terms are superfluous. **Let the verse say "bread," and we will derive the halakha of parched grain and fresh stalks from that of bread.** The Gemara questions this suggestion: **This derivation can be refuted: What is unique about bread?** It is unique in that it has an increased obligation with regard to *halla*, which is separated only from the dough of bread, not from parched grain and fresh stalks not made into dough.

נכתוב קלי ולא לכתוב לחם ונילף מקלי לחם. מקלי לא אתי, משום דקלי איתיה בעיניה, לחם לא איתיה בעיניה; ברמל מקלי לא אתי, משום דקלי נתרבה אצל מנחות, ברמל לא נתרבה אצל מנחות!

The Gemara further suggests: **Let the verse write only "parched grain," and let it not write bread or fresh stalks, and we will derive the halakha of bread and fresh stalks from that of parched grain.** The Gemara responds: **The halakha of bread cannot be derived from that of parched grain due to the fact that parched grain is in its unadulterated form**, whereas bread is not in its unadulterated form, i.e., it has been fully processed, and therefore it can be maintained that only produce that has not been changed is prohibited before the *omer*. Likewise, **the halakha of fresh stalks cannot be derived from that of parched grain due to the fact that parched grain has an increased obligation with regard to meal offerings**, as the *omer* meal offering is of parched grain, whereas fresh stalks do not have an increased obligation with regard to meal offerings.

נכתוב ברמל ונילף לחם וקלי מיניה. איבא למיפרך: מה לברמל שכן לא נשתנה מבריייתו! מן חד לא ילפי, נילף חדא מן תרין.

The Gemara further suggests: **Let the verse write only "fresh stalks," and we will derive the halakha of bread and parched grain from that of fresh stalks.** The Gemara responds: **This derivation can be refuted: What is unique about fresh stalks?** They are unique in that they have not changed from their original state at all. The Gemara states: **Clearly, the halakha of two of these types cannot be derived from the halakha of any one of the others. But let us derive the halakha of one of them from the halakha of the other two.**

HALAKHA

האוכל – האוכל לחם, קלי וברמל, וכו'. לחם קלי וברמל וכו' – One who eats an olive-bulk of bread from the new produce before the *omer* offering has been sacrificed, and an olive-bulk of parched grain, and an olive-bulk of fresh stalks, and was forewarned separately with regard to each, is liable to receive three sets of lashes. Although the prohibition: "And you shall eat neither bread, nor parched grain, nor fresh stalks until this day itself, until you

have brought the offering of your God" (Leviticus 23:14), is a general prohibition, there is a tradition that each of these items is considered a separate prohibition with regard to the liability to receive lashes, in accordance with the opinion of Rabbi Yitzhak (Rambam *Sefer Kedusha, Hilkhot Ma'akhalot Assurot* 10:3, and see Radbaz there, and *Sefer Shofetim, Hilkhot Sanhedrin* 18:3).

Piggul, etc. – פִּיגּוּל וּכְרִי: With regard to any offering that was rendered *piggul*, i.e., it was sacrificed with the intent to consume it after its appointed time, one who intentionally eats an olive-bulk of it is liable to receive *karet*. If he did so unwittingly he must bring a sin offering. It is a tradition that the verse: "And if any of the flesh of the sacrifice of his peace offerings is at all eaten on the third day, it shall not be accepted, neither shall it be imputed unto him who sacrifices it; it shall be an abhorred thing, and the soul that eats of it shall bear his iniquity" (Leviticus 7:18), is referring to one who intends at the time of its sacrifice that it should be eaten on the third day (Rambam *Sefer Avoda, Hilkhot Pesulei HaMukdashin* 13:2 and *Kesef Mishne* there).

לא נכתוב קרא לחם ויגלה מקלי וברמל – איבא למיפרך: מה לקלי וברמל דאיתנהון בעיניהון? לא נכתוב קרא ברמל ויגלה מלחם וקלי – איבא למיפרך: מה מלחם וקלי שגן נתרבו אצל מנחות!

The Gemara elaborates: Let the verse not write bread, and let us derive its *halakha* from that of parched grain and fresh stalks. The Gemara responds: This derivation can be refuted: What is unique about parched grain and fresh stalks? They are unique in that relative to bread, which has been fully processed, they are in their unadulterated form. The Gemara suggests: Let the verse not write fresh stalks, and let us derive its *halakha* from the *halakha* of bread and parched grain. The Gemara responds: This derivation can be refuted: What is unique about bread and parched grain? They are unique in that they have an increased obligation with regard to meal offerings.

אמר לך רבי יצחק: לא נכתוב קרא קלי ויגלה מלחם וברמל: מאי פרכת? אי פרכת: מה מלחם שגן נתרבה אצל חלה – ברמל ויבית, ואי משום דברמל לא נשתנה מבריותו – לחם ויבית, הלקך לוקה, דמייתר.

The Gemara explains that Rabbi Yitzhak could say to you: Let the verse not write parched grain, and let us derive its *halakha* from the *halakha* of bread and fresh stalks. What would you say to refute this? If you refute it by saying: What is unique about bread? It is unique in that it has an increased obligation with regard to *halla*, the example of fresh stalks will prove that this is not a decisive factor, as the obligation of *halla* does not apply to it and yet it is prohibited before the *omer*. And if you would refute the derivation due to the fact that fresh stalks differ from parched grain, as they have not changed from their original state, the case of bread will prove that this is not the key factor, as it has changed from its original state and yet it is prohibited. Therefore, one is flogged for each type, as the verse is superfluous.

ואימא: קלי דמייתר – מחייב חדא – אכולהון – מחייב חדא! אם כן, נכתוב קרא: לחם ברמל וקלי, אי נמי נכתוב: קלי ולחם וברמל, אמאי כתב לקלי באמצע? הכי קאמר: לחם בקלי נחייב, וברמל נחייב בקלי.

The Gemara objects: But why not say that for the consumption of parched grain, whose mention is superfluous, one is separately liable to receive one set of lashes, whereas for eating all the rest of them, i.e., bread and fresh stalks, one is liable to be flogged with only one set of lashes, as they are prohibited by a general prohibition? The Gemara explains: If so, and the *halakha* of parched grain is unique, let the verse write: Bread, fresh stalks, and parched grain; alternatively, let it write: Parched grain, bread, and fresh stalks. Why does it write the example of parched grain in between the others? This is what the verse is saying: One who eats bread is liable to receive the punishment given for eating parched grain, and likewise one who eats fresh stalks is liable to receive the punishment given for eating parched grain.

אמר רבי ינאי: לעולם אל תהי גזירה שוה קלה בענין, שהרי פיגול אחד מגומי תורה, ולא לימודו הכתוב אלא מגזירה שוה.

§ Rabbi Yannai says: A verbal analogy⁸ should never be lightly regarded in your eyes, as the fact that one is punished with *karet* for consuming meat of an offering that was sacrificed with the intent to consume it after its appointed time [*piggul*]^h is one of the fundamental principles of the Torah, and the verse taught it only through a verbal analogy.

דאמר רבי יוחנן: תני זבדא בר לוי, נאמר להלן: "ואוכליו עונו ישא", ונאמר כאן: "והנפש האכלת ממנו עונה תשא", מה להלן ברת – אף כאן ברת.

The Gemara explains that this is as Rabbi Yohanan says that Zavda bar Levi teaches: It is stated there, with regard to meat of an offering left over after the appointed time for its consumption [*notar*]: "But everyone who eats it shall bear his iniquity" (Leviticus 19:8), and it is stated here, with regard to intent to consume an offering after its appointed time: "And the soul that eats it shall bear his iniquity" (Leviticus 7:18). Just as there the punishment for eating *notar* is *karet*, so too here, the punishment for eating *piggul* is *karet*.

BACKGROUND

Verbal analogy – גזירה שוה: This is a fundamental talmudic principle of biblical interpretation, appearing in all standard lists of exegetical principles. If the same word or phrase appears in two places in the Torah, and a certain *halakha* is stated in one of these places, one may infer on the basis of a verbal analogy that the same *halakhot* apply in the other case as well. Consequently, the inferences drawn on the basis of verbal analogy rely on verbal, rather than conceptual, similarity. For example, the Torah states that those convicted of certain types of sorcery "shall be put to death; they shall stone them with stones; their blood shall be upon

them" (Leviticus 20:27). Since this verse uses the expression "Their blood shall be upon them" when speaking of death by stoning, the Talmud infers by verbal analogy that in all cases where this expression is used, capital punishment should be inflicted by stoning. Usually, inferences can be drawn through verbal analogy only if the identical word or phrase appears in both of the verses being compared, although a verbal analogy may occasionally be drawn even if the words being compared are not identical, provided that their meanings are similar.

אָמַר רַבִּי סִימַאי: לְעוֹלָם אֵל תִּהְיֶה גְזֵירָה שְׁוֵה קֶלֶה בְּעֵינֶיךָ, שֶׁהָרִי נוֹתֵר אֶחָד מִגּוֹפֵי תוֹרָה, וְלֹא לִימְדוֹ הַכְּתוּב אֶלָּא מִגְזֵירָה שְׁוֵה.

מֵאִי הִיא? יֵלֵף "קֹדֶשׁ" "קֹדֶשׁ": "וְאֹכְלָיו עֲוֹנוֹ יִשָּׂא בִּי אֶת קֹדֶשׁ ה' חֲלִיל, וּכְתוּב: 'וְשָׂרַפְתָּ אֶת הַנּוֹתֵר בְּאֵשׁ בִּי קֹדֶשׁ' גּוֹ'.

אָמַר אַבְי: לְעוֹלָם אֵל תִּהְיֶה גְזֵירָה שְׁוֵה קֶלֶה בְּעֵינֶיךָ, שֶׁהָרִי בְּתוֹ מֵאֲנוּסָתוֹ הֵן הֵן גּוֹפֵי תוֹרָה, וְלֹא לִימְדוֹ הַכְּתוּב אֶלָּא מִגְזֵירָה שְׁוֵה;

דְּאָמַר רַבָּא, אָמַר לִי רַבִּי יִצְחָק בְּרַב אַבְדִּימִי: אֲתֵינָא "הֵנָּה" "הֵנָּה" לְאִיסוּרָא,

אֲתֵינָא "זִמָּה" "זִמָּה" לְשִׂרְפָה.

אָמַר רַב אֲשִׁי: אֵל תִּהְיֶה גְזֵירָה שְׁוֵה קֶלֶה בְּעֵינֶיךָ, שֶׁהָרִי נִסְקָלִים הֵן הֵן גּוֹפֵי תוֹרָה, וְלֹא לִימְדוֹ הַכְּתוּב אֶלָּא מִגְזֵירָה שְׁוֵה,

Rabbi Simai says: A verbal analogy should never be lightly regarded in your eyes, as the fact that one is punished with *karet* for consuming *notar*,¹ from which it is derived that one is punished with *karet* for partaking of *piggul*, is one of the fundamental principles of the Torah, and the verse taught it only through a verbal analogy.

What is this verbal analogy? One derives by verbal analogy of the word "sacred" in Leviticus and the word "sacred" in Exodus that the verse: "But everyone who eats it shall bear his iniquity," is discussing *notar*. This verse states: "But everyone who eats it shall bear his iniquity, because he has profaned the sacred thing of the Lord" (Leviticus 19:8), and it is written: "You shall burn the leftovers [*notar*] in fire; they are not to be eaten, for they are sacred" (Exodus 29:34). Just as the verse in Exodus is referring to *notar*, the same is true of the verse in Leviticus.

Abaye says: A verbal analogy should never be lightly regarded in your eyes, as the fact that one is punished with *karet* for engaging in intercourse with one's daughter born from the woman he raped is one of the fundamental principles of the Torah,² and the verse taught it only through a verbal analogy.

Abaye elaborates: This is as Rava says: Rabbi Yitzhak bar Avdimi said to me that this *halakha* is derived by a verbal analogy between the unusual form "they [*henna*]" and "they [*henna*]," written with regard to the prohibition against engaging in intercourse with one's daughter born from the woman he raped. As it is written: "The nakedness of a woman and her daughter...you shall not take her son's daughter, or her daughter's daughter, to uncover her nakedness: They [*henna*] are near kinswomen" (Leviticus 18:17). And it is stated: "The nakedness of your son's daughter, or of your daughter's daughter; for they [*henna*] are your own nakedness" (Leviticus 18:10). This latter verse is interpreted as referring to one's granddaughter from the woman he raped (see *Yevamot* 97a). The verbal analogy teaches that although one's daughter from the woman he raped is not mentioned in the verse, she too is included with one's granddaughter, just as a daughter and a granddaughter are equated in Leviticus 18:17.

Furthermore, the punishment for this transgression of intercourse with one's daughter from the woman he raped is derived from a verbal analogy between: "It is **lewdness**" (Leviticus 18:17), which is written with regard to engaging in intercourse with both a woman and her daughter, and the same term "**lewdness**" that appears elsewhere, which teaches that the transgressor is liable to be put to death by **burning**. As it is stated: "And if a man take with his wife also her mother, it is lewdness; they shall be burnt with fire, both he and they" (Leviticus 20:14). This teaches that death by burning is the punishment for engaging in intercourse with both a woman and her daughter, and the same applies to intercourse with one's daughter from the woman he raped, due to the verbal analogy of *henna* and *henna* linking the two cases.

Rav Ashi says: A verbal analogy should not be lightly regarded in your eyes, as the list of those who are liable to be put to death by stoning is one of the fundamental principles of the Torah, and the verse taught it only through a verbal analogy.

HALAKHA

Notar – נוֹתֵר: With regard to one who eats an olive-bulk of a sacrificial animal's flesh that was left over after the appointed time for its consumption, if he did so intentionally he is liable to receive *karet*, and if he acted unwittingly he must bring a fixed sin offering (Rambam *Sefer Avoda, Hilkhot Pesulei HaMukdashin* 18:10).

Intercourse with one's daughter born from the woman he raped is one of the fundamental principles of the Torah – בתו מאנוסתו הן הן גופי תורה: If one engaged in licentious

intercourse with a woman and she bore him a daughter, that girl is forbidden to him as his daughter. Although the Torah does not state: You shall not uncover the nakedness of your daughter, nevertheless, as it prohibits one's daughter's daughter, it did not mention the daughter herself. This prohibition applies by Torah law, not rabbinic law (Rambam *Sefer Kedusha, Hilkhot Issurei Bia* 2:6; see *Hilkhot Ma'akhalot Assurot* 9:2 and *Sefer HaMitzvot, prohibition* 336).

דְּתַנֵּיא, נֵאמַר קָאן: "דְּמִיָּהּ בָּם", וְנֵאמַר
בְּאוּב וְיִדְעוּנִי: "דְּמִיָּהּ בָּם", מַה לְהֵלֵן
בְּסִקּוּלָה – אִף בְּאֵן בְּסִקּוּלָה.

This is as it is taught in a *baraita* that it is stated here, with regard to engaging in intercourse with specific relatives: "Their blood shall be upon them" (Leviticus 20:11–16), and it is stated with regard to a necromancer and a sorcerer: "Their blood shall be upon them" (Leviticus 20:27). Just as there, the verse specifies that a necromancer and a sorcerer are executed by stoning, so too here, with regard to one who engages in intercourse with those relatives, they are executed by stoning.

"הַמְפִּיטִים אֶת הַשֶּׁמֶן" כּו'. תִּנּוּ רַבָּנִן:
הַמְפִּיטִים אֶת הַשֶּׁמֶן לְלִמּוּד בּוּ, לְמוֹסְרָו
לְעִיבּוּר – פְּטוּר, לְסוּךְ – חַיִּיב, וְהִסְךְ
מִמֶּנּוּ – פְּטוּר, לְפִי שְׂאִין חַיִּיבִין אֶלֶּא
עַל סִכֵּת שֶׁמֶן הַמְשַׁחָה שְׁעָשָׂה מִשָּׁה
בְּלִבָּד.

The mishna's list of prohibitions for whose unwitting violation one must bring a sin offering includes one who blends the anointing oil^h according to the specifications of the oil prepared by Moses in the wilderness (see Exodus 30:22–33). The Sages taught in a *baraita*: One who blends the anointing oil to learn how it was prepared or to transfer it to the community for them to use in the Temple is exempt. But if he blends the anointing oil in order to apply it to his body he is liable. And one who applies^h to his body the oil prepared by another is exempt, because he is liable for applying the oil to his body only if he uses the anointing oil that was prepared by Moses alone, in accordance with the verse: "Or whoever puts any of it upon a stranger" (Exodus 30:33), which is referring to that specific oil.

אָמַר מַר: לְלִמּוּד בּוּ עַל מְנַת לְמוֹסְרָו
לְעִיבּוּר – פְּטוּר. מִנְּלֵן? אֲתֵיָא "מִתְבַּקְּתָנוּ"
מִן "בְּמִתְבַּקְּתָהּ" דְּקִטְרֵת, וְכַתִּיב לְגַבִּי
קִטְרֵת: "לֹא תַעֲשׂוּ לָכֶם" – לָכֶם הוּא
דְּאִסּוּר, אֲבָל לְמוֹסְרָו לְעִיבּוּר – פְּטוּר;
גַּבִּי שֶׁמֶן נִמְי לְמוֹסְרָו לְעִיבּוּר – פְּטוּר.

The Master said earlier: One who blends the anointing oil to learn how it was prepared or in order to transfer it to the community for them to use in the Temple is exempt. The Gemara asks: From where do we derive this? The Gemara answers: This is derived via a verbal analogy from the term: "Its composition" (Exodus 30:32), written with regard to the oil and the term: "According to its composition" (Exodus 30:37), written with regard to the incense. And it is written with regard to the incense in that verse: "You shall not prepare for yourselves," from which it is inferred that it is incense prepared for yourselves that is prohibited, but if one prepares it to transfer it to the community^h he is exempt. With regard to the anointing oil as well, one who blends it to transfer it to the community is exempt.

וְהִתְיַדְרַר קִטְרֵת וְנִלְף מִשֶּׁמֶן: מַה שֶּׁמֶן –
מִי מְפִיטִים לְחִצְיִין פְּטוּר; אִף קִטְרֵת נִמְי –
מִי מְפִיטִים לְחִצְיִין פְּטוּר! אֲלֵמָה אָמַר
רַבָּא: קִטְרֵת שְׁפִטְמָה לְחִצְיִין – חַיִּיב,
שֶׁמֶן שְׁפִטְמוּ לְחִצְיִין – פְּטוּר?

The Gemara objects: But in light of this verbal analogy, let the case of incense return and let us derive it from that of the anointing oil: Just as with regard to the anointing oil, when one blends it in halves, i.e., not all the specified amount at once, he is exempt, so too, with regard to the incense, when one blends it in halves he should be exempt. Why, then, does Rava say: In the case of incense that one blended in halves,^h he is liable, whereas with regard to anointing oil that one blended in halves,^h he is exempt?

HALAKHA

One who blends the anointing oil – הַמְפִּיטִים אֶת הַשֶּׁמֶן: With regard to one who blends the anointing oil according to the exact specifications and the precise measure of the oil prepared by Moses in the wilderness, if he did so intentionally he is liable to receive *karet*; if he acted unwittingly he must bring a fixed sin offering. This applies only if he blended it in order to apply it to a person's body, but if he did so to learn how it was performed or to give it to others he is exempt, as stated in the *baraita* (Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 1:4).

And one who applies – הִתְיַדְרַר: With regard to one who applies an olive-bulk of the anointing oil, whether he applied it to himself or to others, if he did so intentionally he is liable to receive *karet*; if he acted unwittingly he must bring a fixed sin offering. One is liable only for applying the anointing oil prepared by Moses, as stated in the *baraita* (Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 1:5–6).

To transfer it to the community – לְמוֹסְרָו לְעִיבּוּר: If one prepared incense to learn how it was prepared or to transfer it to the public, he is exempt (Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 2:10).

Incense that one blended in halves – קִטְרֵת שְׁפִטְמָה לְחִצְיִין: With regard to one who prepares incense from the eleven substances stated to Moses at Sinai and in accordance with the weight mentioned in the Torah, even if he did not prepare the entire amount but only one-half or one-third, if he did so intentionally he is liable to receive *karet*; if he acted unwittingly he must bring a fixed sin offering, as stated by Rava (Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 2:9).

Anointing oil that one blended in halves – שֶׁמֶן שְׁפִטְמוּ לְחִצְיִין: One who blends anointing oil in order to apply it is liable only if he prepared it according to the exact specifications and the precise measure of the oil prepared by Moses in the wilderness. The *halakha* is in accordance with the opinion of Rava (Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 1:4).

Pure myrrh [mor deror] – מִרְדְּרוֹר: Rav Se'adya Gaon, followed by the Rambam, identifies the *mor* as musk perfume. Most commentaries maintain it refers to myrrh, *mira* in Aramaic, *murru* in Akkadian, and similarly in Greek and Latin. Myrrh was known in ancient times throughout the entire region of the Middle East. It was extracted from the resin of trees of the *Commiphora* genus, which grow in West Africa and eastern India, one of the most common of which is the *C. myrrha*. Myrrh was also used for medicinal purposes, as well as in Egypt for embalming.

Some claim that the name *mor* alludes to its bitter, *mar*, taste. As for *deror*, Targum Onkelos translates it as pure. Others early commentaries explain similarly that it is an expression of freedom (see Leviticus 25:10), i.e., a substance released from admixture and impurities (Rabbeinu Yona Ibn Janah; Radak).



Myrrh trees

Cassia [kidda] – קִידָה: In the Septuagint, *kidda* is translated as cassia, which accords with the statements of Targum Onkelos and the commentaries on the Torah. This apparently refers to *Cinnamomum cassia*, a tall tree whose height extends up to 10 m, native to East Asia, where it is grown for its bark, flower buds, and the oil that is extracted from it. The Ramban (Commentary on the Torah, Exodus 30:24) identifies it as the Indian tree *Aquilaria agallocha*, a tall tree with a wide trunk that contains very fragrant sap. Josephus writes that it is the iris. The *Iris foenitina*, a species of iris, is used to produce perfume.

Aromatic cinnamon [kinnemon besem] – קִנְמוֹן בְּשֵׁם: Many commentaries identify this as the bark of the cinnamon tree, similar to cassia. This tree is from the Lauraceae family, found in tropical regions, including India. It grows up to a height of 10 m and was well known in Eretz Yisrael in the mishnaic period. Some say it refers to a similar tree with a different thickness of bark. Others claim the reference is to the outer and inner barks of that tree: The outer bark is called *kinnamon* while the inner bark is called *kaneh*, calamus, as it curls up and has the appearance of a stick [*kaneh*] during its drying process. The Ramban holds that *kinnamon* is *Andropogon nardus*, a fragrant plant from the Graminae family. This plant grows in eastern Asia, but there are similar, rare species that grow in Eretz Yisrael.

אָמַר לָךְ רַבָּא: גָּבַי שְׁמֵן קָתִיב וְבִמְתַקְנָתוֹ לֹא תַעֲשֶׂה כְמוֹהוּ – כְּמוֹהוּ הוּא דְאָסוּר, אֲבָל חֲצִי שְׁפִיר דְּמִי: גָּבַי קִטְרֹת דְּכִתְיָב: וְהַקְטֹרֶת אֲשֶׁר תַּעֲשֶׂה – כָּל עֲשִׂיָּה דְקִטְרֹת, אֲפֹשֶׁר דְּמִקְטִיר פְּרָס שְׁחִירֵי וּפְרָס בֵּין הָעֲרָבִים.

תְּנֵה רֶבֶנָּה, שְׁמֵן הַמִּשְׁחָה: מִרְדְּרוֹר חֲמִשׁ מֵאוֹת, קִידָה חֲמִשׁ מֵאוֹת, קִנְמוֹן בְּשֵׁם חֲמִשׁ מֵאוֹת, וְקִנְהָ בְשֵׁם חֲמִשִּׁים וּמֵאוֹת – נִמְצְאוּ כּוֹלֵם אֶלְפֵי וְשִׁבְעָה מֵאוֹת וְחֲמִשִּׁים.

תְּנֵה מִנְיָנָה קָא מְשַׁמֵּעַ לֵךְ? תְּנֵה הֵיא קָא קִשְׂיָה לִיָּה, אֵימָא: קִנְהָ בְשֵׁם קִנְמוֹן בְּשֵׁם, מַה קִנְמוֹן בְּשֵׁם מְחִיצִיתָ בְּחִמְשִׁים וּמֵאוֹת – אִף קִנְהָ בְשֵׁם מְחִיצִיתָ חֲמִשִּׁים וּמֵאוֹת, דְּהוּוּ לְהוּוּ תִרְיָן אֶלְפִים.

וְאֵימָא הֵכִי נִמְיָ! אִם כֵּן, נִכְתוּב קָרָא: "קִנְמוֹן בְּשֵׁם וְקִנְהָ בְשֵׁם מְחִיצָה וּמְחִיצָה חֲמִשִּׁים וּמֵאוֹת."

אָמַר לִיָּה רַב פְּפָא לְאֲבִי: בְּשֵׁהוּא שׁוֹקֵל, בְּהִכְרַע הוּא שׁוֹקֵל אוּ עֵין בְּעֵין הוּא שׁוֹקֵל? אָמַר לִיָּה, רְחִמָנָא קְתִיב: "בַּד בְּבַד", וְאֵת אֲמֵרַת בְּהִכְרַע? וְהָאֲמַר רַב יְהוּדָה: הַקְדוּשׁ בְּרוּךְ הוּא יוֹדֵעַ הִכְרַעוֹת, אֲלֵמָא דְאֵית בְּהוּ הִכְרַע!

The Gemara answers that Rava could say to you: With regard to the anointing oil it is written: "Neither shall you prepare any like it according to its composition" (Exodus 30:32), which indicates that it is oil prepared precisely like it that is prohibited, but with regard to preparing half of it, one may well do so. By contrast, with regard to incense, as it is written: "And the incense that you shall prepare, according to its composition you shall not prepare for yourselves" (Exodus 30:37), which teaches that any act of preparing of this incense is prohibited, as it is possible to burn a portion, half of the *maneh* that must be prepared, in the morning, and a portion in the afternoon.

S The Sages taught in a *baraita*: The anointing oil contains pure myrrh⁸ weighing 500 shekels,⁹ cassia⁸ of 500 shekels, aromatic cinnamon⁸ of 500 shekels, and aromatic calamus of 250 shekels. It is found that all of them together amount to 1,750 shekels.

The Gemara expresses surprise at the statement of the *baraita*: Does the *tanna* come to teach us the tally? Why is it necessary for the *baraita* to state the sum of the amounts? The Gemara answers that this is difficult for the *tanna*: Since the verse states: "And of aromatic cinnamon half so much, two hundred and fifty, and of aromatic calamus two hundred and fifty" (Exodus 30:23), one might say that the weight of aromatic calamus is like that of aromatic cinnamon: Just as half of the amount of aromatic cinnamon is two hundred and fifty, so too, the verse means that half of the amount of aromatic calamus is two hundred and fifty, which would mean that the sum total is two thousand.

The Gemara asks: But why not say that it is indeed so, that the total weight of calamus is five hundred? The Gemara answers: If so, let the verse write: And of aromatic cinnamon and of aromatic calamus half so much and half so much, two hundred and fifty. The fact that the verse employs the term "half so much" only with regard to cinnamon indicates that their weights were different.

Rav Pappa said to Abaye: When one weighs these substances, does he weigh the ingredients with a slight surplus,¹⁰ so that they tip the scales, or does he weigh the ingredients with precision? Abaye said to him that the Merciful One writes: "Of each there shall be a like weight" (Exodus 30:34), which indicates a precise measure, and you say it is possible that one weighs the ingredients with a surplus? The Gemara raises a difficulty: But doesn't Rabbi Yehuda say: The Holy One, Blessed be He, knows the amount of surpluses¹¹ that should be added. Evidently, there is a surplus involved in these measures.

HALAKHA

With a slight surplus, etc. – בְּהִכְרַע וְכוּ: Moses prepared the anointing oil in the wilderness in the following manner: He took a weight of five hundred holy shekels from each of myrrh, cinnamon, and cassia, and two hundred and fifty of calamus. When the Torah states:

"And of aromatic cinnamon half so much, even two hundred and fifty" (Exodus 30:23), it means that this cinnamon is weighed twice, each time by two hundred and fifty shekels (Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 1:2).

NOTES

Pure myrrh weighing five hundred shekels – מִרְדְּרוֹר חֲמִשׁ מֵאוֹת: The Rambam writes with regard to myrrh, *mor*: *Mor* is the congealed blood of an Indian undomesticated animal, which is a well-known spice used by people everywhere (*Sefer Avoda, Hilkhot Kelei HaMikdash* 1:3). He is referring to musk. The Ra'avad comments: I do not accept that they would bring into the Sanctuary the blood of any undomesticated animal in the world, certainly not that of a non-kosher undomesticated animal (see Ramban's Commentary on the Torah, Exodus 30:23).

The Holy One, Blessed be He, knows the amount of surpluses – הַקְדוּשׁ בְּרוּךְ הוּא יוֹדֵעַ הִכְרַעוֹת: Some explain: God knows the amount of reward He will give to those who add a surplus (*Shita Mekubbetzet*, citing *Kuntres*). Alternatively, it means that God knows the Jews add a surplus of their own when they weigh for the Sanctuary, and therefore He did not find it necessary to command them to do so (*Shita Mekubbetzet*, citing Rabbeinu Yitzhak). Others explain: God knows exactly how much surplus should be added, but did not require one to weigh out this precise amount (Rabbeinu Gershom Meor HaGola).

Removed it [*kipeho*] – קיפחו: Apparently, the verb *kaph* is used here in a similar manner to *kafa*, meaning to remove the uppermost layer that covers an item from above, e.g., from a cooked dish or a congealed dish. Here too, it means to remove the layer of oil that is floating above the water.

אָלֵא אָמַר רַב יְהוּדָה: דְּקָנְמֵן בְּשֵׁם
אֲמָי מִיֵּיתִי מַחְצִיתוֹ דְּחֻמְשׁ מֵאוֹת,
חֻמְשִׁים וּמֵאוֹתֵים בְּחַד זִימְנָא וְחֻמְשִׁים
וּמֵאוֹתֵים בְּחַד זִימְנָא? בֵּינָן דְּכוּלְהוֹן
חֻמְשׁ מֵאוֹת הָווּ, נִיֵּיתִי חֻמְשׁ מֵאוֹת
בְּבַת אַחַת! שְׁמַע מִיָּה, מְדַקְמֵיתִי
לָהּ לְקָנְמֵן בְּשֵׁם בְּתָרֵי זִימְנֵי – הַכְרַע
אֵית בֵּיהּ, וְהַקְדוּשׁ בְּרוּךְ הוּא יוֹדֵעַ
בְּהַכְרַעוֹת.

Rather, one certainly weighs with a surplus, and this is what Rav Yehuda says: With regard to aromatic cinnamon, why does one bring half of its total of five hundred, i.e., two hundred and fifty at one time, and two hundred and fifty at one time? Since its entire amount is five hundred, let him bring five hundred all at once. Conclude from the fact that one brings aromatic cinnamon at two separate times that there is a surplus involved in this measure, i.e., one must add a little each time he weighs the cinnamon, and the Holy One, Blessed be He, knows the amount of surpluses.

וּמֵאֵי "בְּדַבְּד" אָמַר רַבִּינָא: שְׁלֵא
יַעֲחַ מִשְׁקָל בְּמִשְׁקָל וְיִשְׁקוּל.

The Gemara asks: But according to Rav Yehuda's opinion, what is the meaning of the phrase: "Of each there shall be a like weight"? Ravina said: It means that one should not place a weight of one ingredient against the weight of another ingredient and weigh in this manner. In other words, after weighing one of the ingredients one may not weigh another ingredient against that one; rather, each ingredient must be weighed independently against the scales.

תְּנוּ רַבְנֵי: שָׁמֶן הַמְּשֻׁחָה שְׁעֵשֶׂה מִשְׁחָה
בְּמַדְבַּר מְשֻׁלָּקוֹ הָעֵיקָרִין, דְּבָרֵי רַבִּי
יְהוּדָה. אָמַר לוֹ רַבִּי יוֹסֵי: וְהֵלֵא לְסוּךְ
הָעֵיקָרִין אֵינוֹ סִיפֵק! בֵּיצַד עוֹשֶׂה?
הֲבֵיאוּ הָעֵיקָרִין וְשֻׁלְקוּם בְּמִים, וְהֵצִיף
עֲלֵיהֶן שָׁמֶן הַמְּשֻׁחָה וְקָלַט אֶת הָרִיחַ,
וְקִיפְחוּ.

The Sages taught in a *baraita*: How did they prepare the anointing oil that Moses prepared in the wilderness? They would cook the roots of the spices in it; this is the statement of Rabbi Yehuda. Rabbi Yosei said to him: But that amount of oil is not sufficient even to apply to the roots,⁸ as they would absorb the oil; how, then, could the roots be cooked in it? Instead, how did they act? They brought the roots and boiled them^h in water and the fragrant substance would rise to the top, and one poured the anointing oil on the water,⁸ and the oil would absorb the fragrance and retain it, and later he removed the oil [*vekipcho*]^l from off the top and place it in its flask. This is how the anointing oil was prepared.

אָמַר לוֹ רַבִּי יְהוּדָה: Rabbi Yehuda said to Rabbi Yosei:

BACKGROUND

That amount of oil is not sufficient even to apply to the roots – לְסוּךְ הָעֵיקָרִין אֵינוֹ סִיפֵק – As the Gemara enumerates here, the total weight of the roots was 1,750 shekels. Opinions are divided as to the exact weight of the biblical shekel. According to the *geonim* and the Rambam it was equivalent to 14.2 g, while according to Rashi it was 11.75 g. Therefore, according to the Rambam the total weight of the roots comes to 24.850 kg, while according to Rashi, it comes to 20,562 kg. Although there is a range of opinion with regard to the size of the *log*, and therefore twelve *log* of oil could be between 3.6 and 7.2 *l*, it is clear that according to all opinions this quantity of oil was insufficient to pour over all the roots.

הֵצִיף עֲלֵיהֶן שָׁמֶן – One poured the anointing oil on the water – הַמְּשֻׁחָה: This method of Rabbi Yosei's, which the Rambam rules is the *halakha*, is the accepted manner over the generations for creating aromatic oils, even to this day. One cooks or soaks in water the plant from which the fragrance is extracted. At this stage the odor-producing agent, generally an etheric oil, becomes concentrated and emerges. Since it weighs less than the water it floats on top. One then spreads any type of oil over the water so that the fragrant substance is absorbed in it. This type of compound of fragrant oil is used for various perfumes.

HALAKHA

הֲבֵיאוּ הָעֵיקָרִין – They brought the roots and boiled them, etc. – וְשֻׁלְקוּם וְכִי: How did Moses prepare the anointing oil? First, he ground each substance separately, and then mixed all the required species in clear water until the fragrance was extracted in the water. Afterward he placed a *hin* of olive oil on the water

until it absorbed all the fragrance from the spices, and then cooked it all on the fire until the water dissipated and only the oil remained. This oil was placed in a flask where it was kept for use over the generations (Rambam *Sefer Avoda, Hilkhhot Kelei HaMikdash* 1:2).

BACKGROUND

Log – לוג: This is the basic liquid measure used by the Sages. It is equivalent to the volume of six eggs, one-quarter of a *kav*, or one twenty-fourth of a *se'á*. A range of modern opinions estimates this volume at 300–600 ml.

Seven days of inauguration – שבועת ימי המלוואים: This term refers to the week of preparation after the construction of the Tabernacle was complete. During these days the structure and its utensils were sanctified for service, as were Aaron and his sons. The Tabernacle was raised on the first day of the Hebrew month of Nisan in the second year following the exodus from Egypt. For seven days prior to that, from the twenty-third to the twenty-ninth of Adar, Aaron the High Priest and his sons entered the courtyard of the Tabernacle. There the men and the items were anointed with the specially prepared oil. Offerings were sacrificed to mark the consecration of the Tabernacle. On each of the seven days Moses assembled the structure, immersed the men in a ritual bath, and dressed them in their priestly vestments.

LANGUAGE

Numerical value [*gimatriya*] – גימטריא: Derived from the Greek *γεωμετρία*, *geometria*, which means measurement or calculation in general, although the term was later designated for a specific type of calculation, geometry. In rabbinic literature it refers also to mathematical calculations in general, although it is most commonly used with regard to tabulating the numerical values of the letters in a word.

וכי נס אחד נעשה בשמן המשחה? והלא נסים הרבה נעשו בו מתחלתו ועד סופו, תחלתו לא היה אלא שנים עשר לוג, ובו נמשח המשכן וכליו ואהרן ובניו כל שבועת ימי המלוואים, ובו נמשחו כהנים גדולים ומלכים, וכולו קנים לעתיד לבא.

שנאמר: "שמן משחת קדש יהיה זה לי לדורותיכם," "זה" בגימטריא שנים עשר לוגין היוני.

תנו רבנן: "ויקח משה את שמן המשחה וימשח את המשכן" וגו', רבי יהודה אומר: שמן המשחה שעשה משה במדבר הרבה נסים נעשו בו מתחלתו ועד סופו, תחלתו לא היה אלא שנים עשר לוגין, כמה יורה בולעת, כמה עיקרין בולעין, כמה האור שורף, ובו נמשח משכן וכליו, אהרן ובניו כל שבועת ימי המלוואים.

ובו נמשחו כהנים גדולים ומלכים, ואמלו כהן גדול בן כהן גדול טעון משיתה. ואין מושחין מלך בן מלך, ואם תאמר: מפני מה משחו את שלמה? מפני מחלוקת אדוניא, ואת יהואש – מפני עתליה, ואת יהואחז – מפני יהויקים אחיו, שהיה גדול מאחיו שתי שנים.

And was just one miracle performed with the anointing oil? But many miracles were performed with it, from its initial preparation to its end. He explains: Its initial preparation was only the measure of twelve *log*,⁸ and even so the Tabernacle and its vessels were anointed with it, and likewise Aaron and his sons were anointed with it all the seven days of inauguration,⁹ and High Priests and kings were anointed with it throughout the generations, and yet despite the reduction in the amount of oil during its preparation process, as well as its multiple uses throughout history, it all remains intact for its use in the future.

Rabbi Yehuda adds that this is as it is stated: "This [*zeh*] shall be a sacred anointing oil to Me throughout your generations" (Exodus 30:31). The word *zeh* has a numerical value [*bigimatriya*]¹ of twelve, which teaches that the original twelve *log* of oil that existed at the outset are extant throughout all the generations. If so, i.e., if such miracles were performed in connection with the oil, it is no wonder that its initial preparation was miraculous.

The Sages taught in a *baraita*: "And Moses took the anointing oil, and anointed the Tabernacle and all that was in it and sanctified them" (Leviticus 8:10). Rabbi Yehuda says: With regard to the anointing oil that Moses prepared in the wilderness, many miracles were performed with it, from its initial preparation to its end. Its initial preparation was only twelve *log*; consider how much of it a cauldron absorbs from what is cooked inside it, and how much of it the roots of the plants absorb, how much of it the fire burns, and yet the Tabernacle, and its vessels, and Aaron, and his sons were all anointed with it all seven days of the inauguration.

The *baraita* adds: And High Priests and kings were anointed with it,¹⁰ and even a High Priest, the son of a High Priest, requires anointing with the oil. But one does not anoint a king, the son of a king. And if you say: If so, for what reason did they anoint King Solomon, who was the son of King David? It was due to the dispute¹¹ over the throne instigated by his older brother Adonijah, who attempted to usurp the monarchy. And similarly Joash, son of Ahaziah, was anointed king (see II Kings 11:12) due to the threat of Athaliah, his paternal grandmother, who attempted to seize the monarchy for herself (II Kings 11:1–3). And Jehoahaz, son of Josiah, was anointed as king (II Kings 23:30) due to the competition from Jehoikim, his brother, who was two years older than his brother, i.e., Jehoahaz. Ordinarily the older brother succeeds; the father, but Jehoahaz was more worthy of the throne.

HALAKHA

And High Priests and kings were anointed with it, etc. – ובו נמשחו כהנים גדולים ומלכים וכו': Only High Priests, a priest anointed for war, and kings from the house of David are anointed with the anointing oil. Even a High Priest who is the son of a High Priest requires anointing, notwithstanding the fact that his father was anointed (Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 1:7, 4:12).

מפני מחלוקת – Due to the dispute – A king who is the son of a king is not anointed, as the monarchy is inherited. Nevertheless, if there was a dispute involved in the succession, the chosen king is anointed in order to remove the controversy and publicize that this individual is the king. The *halakha* is in accordance with the opinion of Rabbi Yehuda in the *baraita* (Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 1:11 and *Sefer Shofetim, Hilkhot Melakhim UMilhemoteihem* 1:7, 11–12).

It is an inheritance – ירושה היא – When a king is anointed he acquires the monarchy for himself and his sons forever, as it is stated: “In order that he may prolong his days in his kingdom, he and his sons in the midst of Israel” (Deuteronomy 17:20). If the heir to the throne was a minor when the king passed away, the monarchy is kept for him until he grows, as Jehoiada did for Joash. Sons also inherit the position of the High Priest or any position of authority over the Jewish people (Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 4:20 and *Sefer Shofetim, Hilkhot Melakhim UMilhemoteihem* 1:7; *Shulhan Arukh, Yoreh De’a* 245:22).

BACKGROUND

The *baraita* is incomplete and this is what it is teaching – תפוגי מיתפרא והכי קתני – This method of explanation is often found in the Gemara. The addition introduced by the Gemara is an elaboration upon that which is written in the *baraita*, based on various difficulties raised in the Gemara that render the presented formulation incoherent or inconsistent with another authoritative source. The addition provides the necessary clarification.

אמר מר: ואפילו בהן גדול בן בהן גדול טעון משיחה. מנלן דכתביב: “והבהן המשיח תחתיו מבניו”, נמא קרא: “והבהן שתחתיו מבניו”, מאי “המשיח”? הא קא משמע לן, דאפילו מבניו, ההוא דמשח – הוי בהן גדול, ואי לא משח – לא הוי בהן גדול.

The Gemara clarifies several aspects of this *baraita*. The Master said earlier: **And even a High Priest, the son of a High Priest, requires anointing.** The Gemara asks: **From where do we derive this halakha?** It is derived from a verse, as it is written: **“And the anointed priest that shall be in his stead from among his sons”** (Leviticus 6:15). **Let the verse say merely: The priest that shall be in his stead from among his sons. What is taught by the addition of the term “anointed”?** This teaches us that even when the new High Priest is from among the sons of the previous High Priest, only that priest who is anointed with oil is the High Priest, but if he is not anointed with oil he is not the High Priest.

אמר מר: אין מושחין מלך בן מלך. מנלן? אמר רב אחא בר יעקב, דכתביב: “למען יאריך ימים על ממלכתו הוא ובניו כל הימים”, ורושה היא.

The Master said earlier: **But one does not anoint a king, the son of a king.** The Gemara asks: **From where do we derive this halakha?** Rav Aha bar Ya’akov said that this is as it is written: **In order that he may prolong his days in his kingdom, he and his sons, all the days in the midst of Israel** (see Deuteronomy 17:20). The mention of a king’s sons teaches that the kingdom is an inheritance,^{HN} which does not need to be confirmed by anointing.

“מפני מה משחו את שלמה? מפני מחלוקת אדוניא”. מנלן דכי אתי מחלוקת בעי משיחה, ולא כל דבעי מלכא מורית ליה מלכותא? אמר רב פפא, אמר קרא: “בקרב ישראל – בזמן שלום בישראל”.

The *baraita* further taught: **And for what reason did they anoint King Solomon? Due to the dispute over the throne instigated by his older brother Adonijah.** The Gemara asks: **From where do we derive that in a situation where there is a dispute the new king requires anointing, and the current king cannot simply grant the kingship as an inheritance to whomever he desires?** Rav Pappa said that the verse states: **“He and his children in the midst of Israel”** (Deuteronomy 17:20). **At a time when there is peace in Israel^N** the monarchy transfers smoothly to the king’s son, but not when there is a dispute.

תנא: אף יהוא בן נמשי לא נמשח אלא מפני מחלוקת יורם בן אחאב. אמאי? תפוק ליה דמלך ראשון הוא! חסורי מיתפרא והכי קתני: מלכי בית דוד מושחין, מלכי ישראל אין מושחין; ואם תאמר: מפני מה משחו יהוא בן נמשי? מפני מחלוקת יורם בן אחאב.

It was taught in a *baraita*: **Also Jehu, son of Jehoshaphat, son of Nimshi, was anointed by Elisha the prophet only due to the dispute with Joram, son of Ahab, who was the incumbent king, against whose reign Jehu rebelled** (see 11 Kings 9:1–6). The Gemara asks: **Why is it necessary to state this reason? Let the tanna of the baraita derive that Jehu required anointing due to the fact that he was the first king of his lineage, as Jehu was not the son of a king.** The Gemara answers: **The baraita is incomplete, and this is what it is teaching:^B One anoints the kings of the house of David with the anointing oil, but one does not anoint the kings from the kingdom of Israel. And if you say: For what reason did Elisha anoint Jehu, son of Jehoshaphat, son of Nimshi? This was due to the dispute with Joram, son of Ahab.**

אמר מר: מלכי בית דוד מושחין, ואין מלכי ישראל מושחין. מנלן דכתביב: “קום משיחה כי זה הוא” – זה טעון משיחה, ואין אחר טעון משיחה.

The Master said earlier: **One anoints the kings of the house of David with the anointing oil, but one does not anoint the kings of Israel.** The Gemara asks: **From where do we derive this halakha?** It is derived from a verse, as it is written with regard to the anointing of David: **“Arise, anoint him; for this is he”** (1 Samuel 16:12). **This king, i.e., any king from the house of David, requires anointing, but another king, i.e., from the kingdom of Israel, whose kings were not descendants of the house of David, does not require anointing.**

NOTES

He and his sons all the days teaches that the kingdom is an inheritance – הוא ובניו כל הימים ירושה היא – This indicates that, in contrast to the position of a king, the position of High Priest is not an inheritance, which is why the son of a High Priest requires anointing. The commentaries likewise write with regard to the High Priest: It is not given to him as an inheritance but because he is found worthy by God (Meiri). Others maintain that the position of the High Priest is an inheritance, as is every appointment of authority over the community (Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 4:20; see *Hatam Sofer, Shulhan Arukh, Orach Hayyim* 12).

At a time when there is peace in Israel – בזמן שלום בישראל – The commentaries explain: This is not comparable to property inheritance. Rather, the monarchy is a privilege granted to the king from the people for their benefit. Therefore, whenever the appointment is against the wishes of the people or a significant portion of them, the right of inheritance is nullified and the appointment of a king is handed over to the entire community, via their spiritual leaders, i.e., the Sanhedrin (Responsa *Mishpetei Uziel, Shulhan Arukh, Yoreh De’a* 42).

BACKGROUND

Pure balsam [afarsema dakhya] – באַרסעמא דַכּיָא – According to many scholars, afarsema, which is the same as the tzori that is mentioned in the Torah, is identified with balsam. This is apparently the Commiphora opobalsamum, a bush or short tree, 3–5 m in height. The tree has extremely thin branches, complex leaves, and small, white flowers.

The highest-quality balsamic perfume is sap that drips in small amounts from the ends of the stems. However, a more efficient means of extracting the essence of the plant is by boiling the branches. After a certain period of time, the water mixed with the sap evaporates, leaving a sticky residue that can be used for medicinal purposes, as incense, or as fragrant oil.

During the Second Temple period, the finest balsam grew in the Jordan Valley. It was so highly valued that it was literally worth its weight in gold.



Balsam leaves and twigs

HALAKHA

With pure balsam oil – באַרסעמא דַכּיָא – Only kings from the house of David are anointed with the anointing oil. Kings of Israel were anointed with balsam oil (Rambam Sefer Avoda, Hilkhoh Kelei HaMikdash 1:7, 11 and Sefer Shofetim, Hilkhoh Melakhim UMilhemoteihem 1:10).

Filled the place of his fathers – מְמַלֵּא מְקוֹם אֲבוֹתָיו – When a king or anyone who holds a position of authority over the Jewish people dies, his son is established in his place, with the elder son getting precedence. This applies if the son is worthy of fulfilling his father's place with respect to wisdom and fear of God (Rambam Sefer Avoda, Hilkhoh Kelei HaMikdash 1:11 and Sefer Shofetim, Hilkhoh Melakhim UMilhemoteihem 1:10).

אָמַר מֶרֶ: מִפְּנֵי מַחְלֻקַּת יוֹרָם. וּמִשּׁוּם מַחְלֻקַּת יוֹרָם בְּן אֲחָאָב נִמְעַל בְּשִׁמְן הַמִּשְׁחָה? כִּדְאָמַר רַב פַּפָּא: בְּאַרְסַמָּא דַּכּיָא. הֲכָא נִמְי בְּאַרְסַמָּא דַּכּיָא.

“וְאֵת הַיְהוֹאָחָז מִפְּנֵי הַיְהוֹקִים, שֶׁהָיָה גְדוֹל מִמֶּנּוּ שְׁתֵּי שָׁנִים.” וּמִי קָשִׁישׁ? וְהַכְּתִיב: “וּבְנֵי יִאֲשִׁיָּה הַבְּכוֹר יוֹחָנָן וְהַשֵּׁנִי הַיְהוֹקִים וְהַשְּׁלִישִׁי צְדָקְיָהוּ וְהָרְבִיעִי שְׁלוּם.” וְאָמַר רַבִּי יוֹחָנָן: הוּא יְהוֹאָחָז הוּא צְדָקְיָהוּ הוּא שְׁלוּם!

אֲלֵא, לְעוֹלָם הַיְהוֹקִים קָשִׁישׁ. וְאִמְאֵי קָרִי לִיָּה בְּכוֹר – שֶׁהוּא בְּכוֹר לְמַלְכוּת. וּמִי מוֹקְמִינֵן וּזְטָא קָמֵי קָשִׁישָׁא? וְהַכְּתִיב: “וְאֵת הַמַּמְלָכָה נָתַן לַיהוֹרָם כִּי הוּא הַבְּכוֹר!” הֲהוּא מְמַלֵּא מְקוֹם אֲבוֹתָיו הֲוֵה.

אָמַר מֶרֶ: הוּא שְׁלוּם הוּא צְדָקְיָה. וְהָא בְּדָרֵי קָחִישִׁיב! וּמֵאֵי קָרִי לִיָּה שְׁלִישִׁי – שֶׁהוּא שְׁלִישִׁי לְבָנִים; וּמֵאֵי קָרִי לִיָּה רְבִיעִי – שֶׁהוּא רְבִיעִי לְמַלְכוּת, מִשּׁוּם דְּמֶלֶךְ יְכַנֵּה קָמִיָּה. בְּתַחֲלָה מֶלֶךְ יְהוֹאָחָז, וְסוֹף מֶלֶךְ יְהוֹקִים, וְסוֹף מֶלֶךְ יְכַנֵּה, וְסוֹף מֶלֶךְ צְדָקְיָה.

תַּנּוּ רַבְּנַן: הוּא שְׁלוּם הוּא צְדָקְיָה, וְלָמָּה נִקְרָא שְׁמוֹ שְׁלוּם? שֶׁהָיָה שְׁלָם בְּמַעֲשָׁיו. דְּבַר אַחַר: שְׁלוּם – שֶׁשְׁלָם מַלְכוּת בֵּית דָּוִד בְּיָמָיו. וּמָה שְׁמוֹ? מִתַּנְּהָ שְׁמוֹ, שְׁנַאָמַר: “וְיִמְלֹךְ אֶת מַתַּנְּהָ דָּוִד תַּחֲתָיו וְיִסַּב שְׁמוֹ צְדָקְיָה.”

דְּאָמַר לוֹ: יָהּ יַצְדִּיק עֲלֶיךָ אֶת הַדִּין אִם תִּמְרֹד בְּנִי, שְׁנַאָמַר: “וְנִבְיָאֵהוּ בְּבִלְהָ, וְכַתִּיב: “וְגַם בְּמֶלֶךְ נְבוּכַדְנֶצַּר נִאָצַר מֶלֶךְ בְּבִל בְּבִל מֶרְד אֲשֶׁר הִשְׁבִּיעוּ בְּאַלְהֵים.”

The Master said earlier that Jehu was anointed due to the dispute with Joram. The Gemara asks: And due to the dispute with Joram, son of Ahab, will we misuse consecrated property by anointing someone unnecessarily with the anointing oil, which is called “a sacred anointing oil” (Exodus 30:31)? After all, kings of the kingdom of Israel do not require anointing. The Gemara answers: This is as Rav Pappa said with regard to Jehoahaz: They anointed him with pure balsam⁸ oil,⁹ rather than with the anointing oil. Here too, Elisha anointed Jehu with pure balsam oil, not the anointing oil.

It was further stated in the baraita: And Jehoahaz, son of Josiah, was anointed due to the competition from Jehoiakim, his brother, who was two years older than him. The Gemara asks: And was Jehoiakim in fact older than Jehoahaz? But isn't it written: “And the sons of Josiah: The firstborn Johanan, the second Jehoiakim, the third Zedekiah, the fourth Shallum” (1 Chronicles 3:15); and Rabbi Yohanan says: The one who is called Johanan in that verse is also called Jehoahaz, and the one who is called Zedekiah is the same as the one called Shallum. If so, Jehoahaz is the eldest son, not Jehoiakim. Why, then, was it necessary to anoint Jehoahaz?

The Gemara answers: Rather, Jehoiakim was actually older than Jehoahaz. And why does the verse call Jehoahaz the firstborn? This is referring to the fact that Jehoahaz was the firstborn with regard to the monarchy, i.e., he became king first. The Gemara asks: And do we establish the younger son as king before the older son? But isn't it written with regard to Jehoshaphat: “And he gave the kingdom to Jehoram, because he was the firstborn” (11 Chronicles 21:3)? The Gemara answers: Jehoram was one who filled the place of his fathers,¹⁰ i.e., he was fit to serve as king, and therefore as he was firstborn he received the kingship, whereas Jehoiakim was deemed unworthy of the honor, despite being the oldest among his brothers.

The Master said earlier: The one who is called Shallum is also called Zedekiah. The Gemara objects: But the Torah counts these individuals in a row, i.e., one after the other, as 1 Chronicles 3:15 mentions the first, second, third, and fourth sons. This indicates that they are different people. The Gemara answers: Shallum and Zedekiah are in fact one and the same, and what is the reason the verse calls Zedekiah the third? The reason is that he is third of the sons, i.e., the third in order of birth. And what is the reason the verse calls Shallum the fourth? The reason is that he is fourth to the kingship, because Jeconiah reigned before him. How so? Initially Jehoahaz reigned, and afterward Jehoiakim reigned, and afterward Jeconiah reigned, and afterward Zedekiah reigned. Accordingly, Zedekiah, called Shallum, was fourth to the kingship.

The Sages taught in a baraita: The one who is called Shallum is also called Zedekiah, and why was he called Shallum? Because he was perfect [shalem] in his good deeds. Alternatively, he was called Shallum because in his days the kingdom of the house of David was completed [shalam], as he was the last king in the Davidic dynasty. And what was his true name? Mattaniah was his name, as it is stated: “And the king of Babylonia made Mattaniah, his father's brother, king in his stead, and changed his name to Zedekiah” (11 Kings 24:17).

The baraita explains: Why did the king of Babylonia, Nebuchadnezzar, call him by the name Zedekiah? The reason is that Nebuchadnezzar said to him: God will justify [yatzdik] the judgment over you if you rebel against me, as it is stated with regard to Nebuchadnezzar and Jehoiachin: “And brought him to Babylon” (11 Chronicles 36:10), and with regard to Zedekiah it is stated: “And he also rebelled against King Nebuchadnezzar, who had made him swear by God” (11 Chronicles 36:13).

Chi – כִּי: The shape of this letter, X, is not found in the Hebrew alphabet, and therefore the Sages explained the manner of the application of the anointing oil by means of the Greek letter. Over the generations, when Greek was no longer in use and when very few people knew the Greek script, various other shapes were suggested. These include an inverted letter *kaf* (Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 1:9), an inverted letter *nun* (Rashi's commentary on Exodus 29:2), and the letter *tet* (Rashi on *Menahot* 74b; Rabbeinu Gershom Meor HaGola).

ומי היה שמן המשחה? והתנאי: משנגנו ארון, נגנו צנצנת המן, ויצלוחית שמן המשחה, ומקלו של אהרן שקדים ופרחים,

§ The Gemara raises a difficulty with regard to the statement that Jehohaz was anointed: **And was there anointing oil** in the days of Jehohaz? **But isn't it taught** in a *baraita* (*Tosefta, Yoma* 2:15) that **from when the Ark was sequestered, along with it was sequestered the jar of manna that was next to it** (see Exodus 16:33), **and the flask of the anointing oil, and Aaron's staff with its almonds and blossoms** (see Numbers 17:23).

וארגו ששגרו פלשתים דרון לאלהי ישראל, שנאמר: "ואת כלי הזהב אשר השבתם לו אשם תשימו בארגו מצדו". ומי גנו? לאשיה מלך יהודה גנו, שנאמר: "ויאמר המלך אל הכהנים תנו את ארון הקדש",

The *baraita* continues: **And also sequestered with the Ark was the chest that the Philistines sent as a gift to the God of Israel after they captured the Ark and were stricken by several plagues, as it is stated: "And put the jewels of gold that you return to Him for a guilt offering, in a coffer by its side, and send it away that it may go"** (1 Samuel 6:8). **And who sequestered the Ark? Josiah, king of Judah, sequestered it, as it is stated: And the king said to the priests: Put the sacred Ark in the house that Solomon, the son of David, king of Israel, built** (see 11 Chronicles 35:3).

ואמר רבי אלעזר: אתאי שם" שם" שם",

And Rabbi Elazar says: How do we know that all these items needed to be sequestered together with the Ark? The *halakha* that the jar of manna was to be kept with the Ark is **derived** through a verbal analogy between the words "there" and "there." The word "there" is stated with regard to the Ark: "Where I will meet with you there" (Exodus 30:6), and it is also stated with regard to the manna: "And put there" (Exodus 16:33).

אתאי "דורות" "דורות",

The *halakha* that the anointing oil was to be kept together with the Ark is **derived** through a verbal analogy between the words "generations" and "generations." This term is stated with regard to the jar of manna: "To be kept throughout your generations" (Exodus 16:33), and also with regard to the anointing oil: "This shall be a sacred anointing oil to Me throughout your generations" (Exodus 30:31).

אתאי "משמרת" "משמרת"! אמר רב פפא: באפרסמא דביא.

Finally, the *halakha* that Aaron's staff was to be kept together with the Ark is **derived** through a verbal analogy between the terms "to be kept" and "to be kept." This term is stated with regard to the jar of manna, and also with regard to Aaron's staff: "To be kept there, for a token against the rebellious children" (Numbers 17:25). All these items, which are connected through these verbal analogies, including the anointing oil, were kept by the side of the Ark, and therefore they were sequestered together with the Ark. If so, how was Jehohaz anointed with the anointing oil? **Rav Pappa said:** They did not anoint Jehohaz with the anointing oil, but **with pure balsam**.

תנו רבנן: מושחין את המלכים כמין נור, ואת הכהנים כמין "כי". אמר רב מנשיה: כמין "כי" יוני. תני תדא: בתחלה מציק שמן על ראשו, ואחר כך נותן לו שמן בין ריסי עיניו; ותני אחריתי: בתחלה נותן לו שמן בין ריסי עיניו, ואחר כך מציק לו שמן על ראשו!

§ The Sages taught in a *baraita*: **One anoints the kings** by placing the oil around the head in a shape **similar to a crown, and one anoints the High Priests** by placing the oil upon the head in the shape **similar to chi**. In explanation of this statement, **Rav Menashya says:** It is placed in a shape **similar to the Greek letter chi**,¹ which looks like the letter X. **It is taught in one baraita: First, one pours oil on the head of the High Priest, and afterward one places oil between his eyelashes. And it is taught in another baraita: First, one places oil between his eyelashes, and afterward one pours oil on his head.** The *baraitot* contradict each other.

תנאי היא, איבא למאן דאמר: משיחה עדיפא, ואיבא למאן דאמר: וציקה עדיפא. מאי טעמא דמאן דאמר יציקה עדיפא? שנאמר: "ויצק משמן המשחה על ראש אהרן", ומאן דאמר משיחה עדיפא, קסבר: שכן נתרבה אצל כלי שרת.

The Gemara explains: This is a matter of dispute between *tanna'im*, as there is a *tanna* who says: **Anointing** between his eyelashes is **preferable** to pouring on the head and therefore comes first, **and there is a tanna who says that pouring** on the head is **preferable** to anointing between his eyelashes, and therefore comes first. **What is the reasoning of the one who says that pouring** on the head is **preferable**? As it is stated: "And he poured of the anointing oil upon Aaron's head and anointed him to sanctify him" (Leviticus 8:12), which indicates that pouring is first, followed by anointing. **And as for the one who says that anointing** between his eyelashes is **preferable** to pouring on the head and precedes it, **he holds** that anointing is **preferable** in that its use is **increased**, i.e., it is performed **on the service vessels**, whereas pouring is not mentioned with regard to the service vessels.

BACKGROUND

Gihon – גִּחֹן: Hezekiah's tunnel leads from the Gihon Spring to the Siloam pool.



Model of Jerusalem with inset depicting the Siloam pool



Aqueduct leading to the Siloam pool

וְהִכְתִּיב "וַיִּצְקוּ" וְלִבְסוּף "וַיִּמְשַׁח" הֲכִי קָאָמַר: מַה טַּעַם "וַיִּצְקוּ" – מִשּׁוּם "וַיִּמְשַׁח" אֹתוֹ לְקָדְשׁוֹ.

תַּנּוּ רַבְנָן: "כְּשֶׁמֶן הַטּוֹב הַיּוֹרֵד עַל הָרֹאשׁ" וְגו' – כִּמְיִן שְׁתֵּי טִיפִין מְרַגְלִיּוֹת הֵיוּ תְלוּיּוֹת לְאַהֲרֹן בְּזִקְנוֹ. אָמַר רַב כְּהֵנָּא, תֵּנָּא: כְּשֶׁהוּא מְסַפֵּר – עוֹלֹת וַיּוֹשְׁבוֹת בְּעֵיקְרֵי זְקֵנּוֹ. וְעַל דְּבַר זֶה הָיָה מִשָּׂה רַבִּינֵי דוֹאָג, שְׁמָא חַס וְשְׁלוֹם מְעַלְתֵי בְּשֶׁמֶן הַמְשָׁחָה!

יֵצְתָה בַת קוֹל וְאָמְרָה: "כְּטֵל חֶרְמוֹן שְׂוִדָּד עַל הָרֵרִי צִיּוֹן, מַה טֵּל אֵין בּוֹ מְעִילָה – אִף שְׁמֹן שְׂוִדָּד עַל זְקֵן אַהֲרֹן אֵין בּוֹ מְעִילָה.

וְעֵדִיין אַהֲרֹן הָיָה דוֹאָג, שְׁמָא מִשָּׂה לֹא מְעַל וְאֵין מְעַלְתֵּי! יֵצְתָה בַת קוֹל וְאָמְרָה לוֹ: "הֲיֵנָּה מַה טּוֹב וַיְמַה נְעִים שְׁבַת אַחִים גַּם יַחַד", מַה מִּשָּׂה לֹא מְעַל, אִף אֶתָּה לֹא מְעַלְתָּ.

תַּנּוּ רַבְנָן: אֵין מוֹשְׁחִין אֶת הַמְּלָכִים אֶלָּא עַל הַמְּעִיין, כְּדִי שְׁתִּימְשָׁךְ מַלְכוּתוֹ, שְׁנֵאָמַר: "וַיֹּאמֶר הַמֶּלֶךְ אֶל בְּנֵיהוּ וְגו' וְהוֹדַדְתֶּם אֹתוֹ עַל גִּחֹן וְגו' וַיִּמְשַׁח אֹתוֹ שָׁם".

אָמַר רַב אַמִּי: הָאֵי מֵאֵן דְּבַעֵי לִידַע אִי מְשַׁכָּא שְׂתָא אִי לָא, מִיֵּיתִי שְׂרַגָּא בְּהַלִּין עֲשָׂרָה יוֹמִין דְּבִין רִישׁ שְׂתָא לְיוֹמָא דְּכִיפּוּרֵי, וְנִיתְלִי בְּבֵיתָא דְּלֹא נְשִׁיב וְיָקָא, אִי מְשִׁיךְ נְהוּרִיָּה – נִידַע דְּמַסְקִי שְׂתִיָּה.

וּמֵאֵן דְּבַעֵי נַעֲבִיד עֵיסְקִי, וּבַעֵי דְּנִידַע אִי מְצַלַּח עֵיסְקִי אִי לָא, נִירְבִי תְרַנְגוּלָא, אִי שְׁמִין וְשִׁפְרֵי – נִידַע דְּמַצְלַח.

הָאֵי מֵאֵן דְּבַעֵי נִפּוֹק בְּאוּרְחָא, וּבַעֵי דְּנִידַע אִי הָדָר לְבֵיתֵיהּ, נִיעוּל יִקּוּם בְּבֵיתָא דְּבַהֲתָא, אִם חָזִי

The Gemara raises a difficulty: But according to the opinion that anointing is preferable, isn't it written: "He poured," and ultimately: "He anointed" (Leviticus 8:12)? The Gemara explains that this is what the verse is saying: What is the reason for "he poured"? This action was made possible due to the fact that he had already: "Anointed him to sanctify him." In other words, the pouring came after the anointing, which is the primary act.

The Sages taught in a baraita: The verse states: "It is like the precious oil upon the head descending upon the beard; the beard of Aaron, that descends upon the collar of his garments" (Psalms 133:2). Two drops of anointing oil shaped like pearls hung from Aaron's beard. Rav Kahana says it is taught: When Aaron would speak his beard would move, and these drops would miraculously rise and sit on the roots of his beard, so that they would not fall to the ground. And with regard to this matter Moses, our teacher, was concerned, thinking: Perhaps, God forbid, I misused the anointing oil by pouring too much, which resulted in these two additional drops.

A Divine Voice emerged and said: "It is like the precious oil upon the head, descending upon the beard; the beard of Aaron, that descends upon the collar of his garments, like the dew of the Hermon that comes down upon the mountains of Zion" (Psalms 133:2-3). This comparison serves to teach: Just as the Hermon's dew is not subject to misuse of consecrated property, as it is not consecrated but can be used by all, so too, the anointing oil that descends upon Aaron's beard is not subject to misuse of consecrated property.

And still Aaron himself was concerned, thinking: Perhaps Moses did not misuse consecrated property but I misused the oil, as the additional oil is on my body and I derive benefit from it. A Divine Voice emerged and said to him: "Behold how good and how pleasant it is for brothers to dwell together in unity" (Psalms 133:1). Just as your brother Moses did not misuse consecrated property, so too, you did not misuse consecrated property.

The Gemara cites a baraita which discusses the anointing of kings. The Sages taught: One may anoint kings only next to a spring. This is done as a fortuitous sign, so that their kingdom should continue uninterrupted just as the waters of the spring flow uninterrupted throughout the year. As it is stated with regard to the coronation of Solomon in the days of King David: And the king said to Benaiah: Take with you the servants of your lord, and cause Solomon my son to ride upon my own mule, and bring him down to Gihon. And let Zadok the priest and Nathan the prophet anoint him there king over Israel (see I Kings 1:33-34). The Sages derived from here that all kings should be anointed near a spring.

Parentetical to this matter of performing an act as a fortuitous sign, the Gemara cites that which Rav Ami says: One who desires to know if he will live through this current year or not should bring a lit candle during those ten days between Rosh HaShana and Yom Kippur and hang it in a house through which wind does not blow, and he should watch it carefully: If its light continues he shall know that he will live out his year.

And one who desires to conduct business and wants to know if his business will succeed or not should raise a rooster. If the rooster gets fat and beautiful he shall know that the venture will succeed.

This one who wishes to leave on a journey and wants to know whether he will return to his home should enter a dark house. If he sees

בְּבוֹאָה לְבוֹאָה דְּבוֹאָה – מִדַּע
דְּאֵתִי לְבִיתִיהּ. וְלֹא מִלְתָּא הִיא.
דִּילְמָא חֲלָשָׁא דַּעֲתִיהּ וּמְתַרַע
מְזַלִּיהּ.

אָמַר אַבְיֵי: הַשְּׂתָא דְאִמְרַת סִימְנָא
מִלְתָּא הִיא, וְיָהּ רְגִיל אֵינִישׁ לְמִיכַל
רִישׁ שְׂתָא קָרָא וְרוּבְיָא, כְּרַתִּי,
סִילְקָא וְתַמְרִי.

אָמַר לְהוּ רַב מִשְׁרָשֵׁיא לְבִנְיָה: כִּי
בְעֵיתוֹ לְמִיּוֹל לְמַגְמַר קַמֵּיהּ רַבְכוּן,
גְּרוּסוּ מַעֲיָקְרָא מִתְנִיתִין וְהֵדֵר עוּלוֹ
קַמֵּי רַבְכוּן; וְכִי יִתְבִּיתוּ קַמֵּי רַבְכוּן,
חֲזוּ לְפִנְיָה דְרַבְכוּן, שְׁנַאֲמַר: "וְהִיוּ
עֵינֶיךָ רוֹאוֹת אֶת מוֹרְנוֹךָ"; וְכִי גְרִיסִיתוּ
שְׁמַעְתָּא – גְּרוּסוּ עַל מַיָּא, דְּכִי הִיכִי
דְמַשְׁכֵּי מַיָּא תַמְשׁוּךְ שְׁמַעְתָּכוֹן;

the reflection [bavua]¹ of a reflection of his reflection he shall know that he will return and come to his home. The Sages say about this: **And this is nothing**, i.e., one should not practice these divinations, as **perhaps he will become despondent** if he does not see the positive sign and **his fortune will turn bad**, and this itself will result in his failure.

Abaye said: **Now that you have said that a sign is a substantial matter, a person should be accustomed to eat, at the start of the year,^h gourd,^g fenugreek,^g leeks, beets,^g and dates**, as each of these grow and multiply quickly, which is a good omen for the deeds of the upcoming year.

With regard to positive omens, Rav Mesharshiyya said to his sons: **When you want to go to study in the presence of your teacher, initially study the mishnayot and then ascend before your teacher. And when you sit before your teacher, see your teacher's mouth,^h as it is stated: "And your eyes shall see your teacher"** (Isaiah 30:20). **And when you learn a halakha, learn near a source of flowing water, as just as the water flow continues, so too, your learning should continue.**

LANGUAGE

Reflection [bavua] – בְּבוֹאָה: Linguists believe this word is an alternate form of the biblical expression *bavat ayin* (see Zechariah 2:12), which means both pupil [*ishon*] of the eye and child, as an *ishon* also means a small man [*ish*]. This is similar to the Arabic *bu'bu'*, and has parallels in other languages, e.g., the Latin pupilla, an orphaned girl. The term *bavua* was originally used to refer to the reflection of a figure in one's eye, and eventually became used more generally to refer to any reflection of an image, e.g., in water or from a mirror.

HALAKHA

To eat at the start of the year – לְמִיכַל רִישׁ שְׂתָא: One should accustom oneself to eat foods on Rosh HaShana whose names allude to goodness and blessings, as a good omen, as stated by Abaye. Upon eating fenugreek [*rubbiyya*] one should recite: May it be Your will that our merits increase [*yribu*]. For leeks [*karti*], one recites: May it be Your will that our enemies be cut off [*yikhretu*]. For beets [*silka*]: That our enemies be removed [*yistalku*]. For gourd [*kara*]: That our sentence be torn [*yikra*] and our merits read [*yikaru*] before You. The commentaries add that there is a custom to eat a sweet apple dipped in honey (Rema, citing *Tur*), with the recitation: That You renew us for a sweet year (Abudirham), and this is an accepted practice. Some eat pomegranates and recite: May it be Your will that our merits increase like the pomegranate. The Mordekhai adds that it is also customary to eat fatty meats and an array of sweet foods (*Shulhan Arukh, Orah Hayyim 583:1*).

See your teacher's mouth – חֲזוּ לְפִנְיָה דְרַבְכוּן: When teaching his students, a rabbi should sit at the head with the students surrounding him like a crown, so that they can all see and hear their teacher. This is in accordance with Rav Mesharshiyya's instruction to his sons (Rambam *Sefer HaMadda, Hilkhot Talmud Torah 4:2; Shulhan Arukh, Yoreh De'a 246:9*, and see *Beur HaGra* there).

BACKGROUND

Gourd [kara] – קָרָא: Also called the bottle gourd or *Lagenaria vulgaris*, the *kara* is a leafy summer vegetable. Usually it grows extended on the ground, but at times it is trellised on trees. The greenish-white gourd produced by the plant is 40–50 cm long and 25–30 cm wide and shaped like a jug or a bottle. The young fruit is generally eaten cooked and its seeds are commonly consumed alongside dessert.



Bottle gourd

Fenugreek [rubbiyya] – רוּבְיָא: According to Rashi, *rubbiyya* is the same as *tiltan*. In the language of the Sages, *tiltan* refers to what is today called fenugreek, *Trigonella foenum-graecum*, a plant less than 1 m in height from the legume family. Its stalks are hollow and furry, with triangular, light-green leaves and white flowers. The fruit is contained in thin pods, up to 15 cm in size, which contain flat seeds roughly 5 mm in size. Fenugreek is usually cultivated for its seeds, which are edible and used in the preparation of many seasonings as well. Its young stalks are also used as seasoning. It originates from the Mediterranean, but is now cultivated in many places. In previous eras it was also used medicinally as a cure for various illnesses; nowadays it is used in this fashion mainly in the case of animals. In various countries the stalks of fenugreek are used as fodder as well as fertilizer. The plant is typically cultivated and is grown in heavy soil, although a wild strain has also developed in certain regions.



Fenugreek leaves, seeds, and pods



Beet leaves

Beets [silka] – סִילְקָא: Beets, *Beta vulgaris cicla*, are a common, garden-variety vegetable from the Chenopodiaceae family. Growing annually, their large, succulent leaves, which reach 15–20 cm in length, are edible and have a similar taste to spinach. Each time a portion of beet leaves are trimmed they grow back larger. Today, the leaves are also used as bird feed.

LANGUAGE

Garbage piles [kilkei] – קילקי: An alternative version of this word is kikli. It is an Aramaic word meaning garbage, a place where one throws ruined items. The city garbage heap was a field in the city or to its side, which was mainly used as a place for throwing junk rather than waste. Therefore, it was possible that people could be found there once in a while.

Palaces [apadnei] – אפרני: This term, which also appears in the Bible (Daniel 11:45), is from the Old Persian apādana. It was also borrowed by other languages in ancient times, and it means a mansion, a fortified house, or an elegant structure.

Fish [gildana] – גילדנא: Some maintain this is from the Greek χελιδών, khelidon, whose meanings include a species of flying fish. In the terminology of the Sages it is apparently a name for various types of fish, big and small.

Kutha – כותא: Kutha, or kutah in Hebrew, was a food used to flavor bread or to whet the appetite. It was popular in Babylonia, which is why it is often called Babylonian kutah. It was made from moldy bread; whey, i.e., the leftover liquid after separating cheese from milk; and salt.

NOTES

And not in the palaces of Pumbedita – ולא אפרני דפומבדיתא: Rashi explains that this is because the inhabitants of Pumbedita were bandits and thieves. Others state that the people of Pumbedita were not as educated as those of Mata Mehasya (Rabbeinu Gershom Meor HaGola).

It is better to eat rotten fish than kutha which uproots and tosses rocks [ramei keifei] – טב גילדנא כותא למיכל מכותא דרמי ביפי: In a similar vein, the Gemara elsewhere states that Babylonian kutha blocks the heart, blinds the eyes, and weakens the body (Pesahim 42a). Some explain that ramei keifei means tall [ram] and impressive buildings or castles. In other words, it is better to eat inexpensive fish than kutha, which is a dish of the wealthy and the nobility (Rashi on Horayot 12a).

אקילקי דמתא מחסיא ולא אפרני דפומבדיתא; טב גילדנא כותא למיכל מכותא דרמי ביפי.

”ותתפלל חנה ותאמר עלץ לבי בה’ רמה קרני.” רמה קרני ולא רמה פני; דוד ושלמה שגמשחו בקרון – נמשכה מלכותם. שאול ויהוא שגמשחו מן הפך – לא נמשכה מלכותם.

”המפטם את הקטרת.” תנו רבנן: המפטם את הקטרת ללימד בה או למוסרה לציבור – פטור, להרית בה – חייב; והמרית בה – פטור, אלא ששמעל.

ומי איכא מעילה? והאמר רבי שמעון בן פוי אמר רבי יהושע בן לוי משום בר קפרא: קול ומראה וריח – אין בהן משום מעילה!

Rav Mesharshiyya gave his sons additional advice: It is better for you to dwell on the garbage piles [akilkei]¹ of the city Mata Mehasya⁸ and not to dwell in the palaces [apadnei]¹ of the city Pumbedita.¹⁶ It is better to eat rotten fish [gildana]¹ than high-quality kutha,¹ which uproots and tosses rocks¹ from their places, i.e., it is a very spicy, powerful flavoring.

The Gemara further discusses the issue of anointing and good omens. Hannah said in her prayer after her son Samuel was born: “And Hannah prayed and said: My heart exults in the Lord, my horn is exalted in the Lord” (1 Samuel 2:1). The Gemara notes that Hannah said: “My horn is exalted,” and she did not say: My jug is exalted. With regard to David and Solomon, who were anointed with oil from a horn, this was a good omen for them, and their kingships lasted. But with regard to Saul and Jehu, who were anointed with oil from a jug, their kingships did not last.

§ The mishna included in its list of those liable to receive karet: One who blends the incense⁴ according to the specifications of the incense used in the Temple service, for purposes other than use in the Temple. The Sages taught in a baraita: One who blends the incense in order to teach himself how to prepare it or in order to transfer it to the community is exempt from liability. But if he prepares it in order to smell it he is liable to receive karet, as it is stated: “He who prepares it in order to smell it shall be cut off from his people” (Exodus 30:38). And one who actually smells the incense mixture is exempt from the punishment of karet and from bringing a sin offering; but he has misused consecrated property, and is therefore liable to bring a guilt offering if he acted unwittingly.

The Gemara asks: And is there the prohibition of misuse of consecrated property with regard to smell? But doesn’t Rabbi Shimon ben Pazi say that Rabbi Yehoshua ben Levi says in the name of bar Kappara: With regard to exposure to the sound,¹¹ or to the sight, or to the smell of consecrated items, including incense, these are not subject to the prohibition of misuse of consecrated property?

HALAKHA

One who blends the incense, etc. – המפטם את הקטרת וכו’: One who blends the incense in order to teach himself how to prepare it or to transfer it to the community is exempt. If he prepares it in order to smell it he is liable to receive karet. One who actually smells the incense mixture has misused consecrated property but he is exempt from karet, as stated in the baraita (Rambam Sefer Avoda, Hilkhot Kelei HaMikdash 2:10).

Sound, etc. – קול וכו’: With regard to sound and sights in the Temple, and the smell of the incense after the pillar of smoke has risen, one may not benefit from them ab initio, but if he does so he is exempt, in accordance with the opinion of bar Kappara. If he smells it while its pillar of smoke rises, he is liable to receive punishment for misuse of consecrated property (Rambam Sefer Avoda, Hilkhot Me’ila 5:16).

BACKGROUND

Mata Mehasya – מתא מחסיא: A small town near Sura, Mata Mehasya was the home of Rav Ashi, and the Talmud was edited there. In later times, Sura and Mata Mehasya apparently merged, becoming a single town.

Pumbedita – פומבדיתא: A city on the Euphrates River, northwest of Neharde’a, Pumbedita was an important center of the Babylonian Jewish community for many generations. As early as the Second Temple period Pumbedita was called the Diaspora, as it was considered the center of Babylonian Jewry. After the destruction of Neharde’a, some Sages from its academy relocated to Pumbedita, and from that point on Torah study continued there without interruption until the end of the geonic period. The Sages of Pumbedita were particularly known for their acumen. The most prominent heads of the Pumbedita academy were its founder Rav Yehuda, followed by Rabba, Rav Yosef, Abaye, Rav Nahman bar Yitzhak, Rav Zevid, and Rafka bar Pappa. The Pumbedita academy was very prominent in the geonic period as well, often overshadowing the academy in Sura. During this period, the academy was moved from the city of Pumbedita to Baghdad, although it continued to be called the Pumbedita academy. The last prominent heads of the Pumbedita academy were the renowned geonim Rav Sherira Gaon and his son, Rav Hai Gaon.



Map of central Babylonia showing location of Mata Mehasya and Pumbedita

רִיחַ אַחַר שְׂתֵּלָה תִּמְרָתוֹ אִין בּוֹ מִשּׁוּם מַעֲלָה, אִין לֶךְ דְּבַר אַחַר שְׂנַעֲשָׂה מִצְוֹתָ וּמוֹעֲלִין בּוֹ.

The Gemara answers: With regard to exposure to the **smell** of the incense, the following distinction applies: The smell of the incense that is emitted when the spices are placed on the coals on the altar is subject to the prohibition, since this is the manner in which the mitzva is performed. By contrast, the smell emitted **after** the flame catches and the **column of smoke rises^h is not subject** to the prohibition of **misuse** of consecrated property. The reason is that its mitzva has already been performed, and **you have no case in which an item is at the stage after its mitzva has already been performed and yet one is liable for its misuse.**

The smell emitted after the flame catches and the column of smoke rises, etc. – רִיחַ אַחַר שְׂתֵּלָה תִּמְרָתוֹ וְכוּ׃ The Gemara in tractate *Pesahim* (26a) indicates that with regard to sound and sight there is at least a prohibition by rabbinic law against performing an action that allows one to benefit from consecrated property through these senses. In the Jerusalem Talmud (*Sukka* 5:3) it is indicated that this is not a prohibition even by rabbinic law.

אֵלְמָה לֹא? וְהִי תְרוּמַת הַדָּשָׁן, דְּנַעֲשִׂית מִצְוֹתָהּ וּמוֹעֲלִין בָּהּ!

The Gemara asks: **And why not** say that misuse of consecrated property applies to an item whose mitzva has been already performed? **But there is** the case of the daily removal of the ashes of the offerings from the altar, **whose mitzva has been performed**, as the offerings have been burnt, **and yet one who uses the ashes is liable for misusing** the ashes, as derived from the verse: “And the priest shall put on his linen garment, and his linen breeches shall he put upon his flesh; and he shall take up the ashes of what the fire has consumed of the burnt offering on the altar, and he shall put them beside the altar” (Leviticus 6:3).

מִשּׁוּם דְּהִי תְרוּמַת הַדָּשָׁן וּבִגְדֵי כְהוֹנֵה שְׁנֵי כְתוּבִים הַבָּאִים כְּאַחַד, וְכֹל שְׁנֵי כְתוּבִין הַבָּאִין כְּאַחַד – אִין מְלַמְדִים.

The Gemara answers: This case does not disprove the principle, **since the halakhot of the removal of the ashes^h and the priestly vestments^h of white linen worn by the High Priest on Yom Kippur are two verses that come as one, i.e., to teach the same matter, and there is a principle that any two verses that come as one do not teach** their common aspect to apply to other cases. In other words, if a *halakha* is stated twice with regard to two separate cases, this *halakha* applies only to those cases. Had the Torah wanted to teach that this *halakha* applies to all other relevant cases as well, it would have mentioned it only once, and other cases would be derived from there. The fact that two cases are mentioned indicates they are exceptions.

הַנִּיחָא לְרַבְנָן, אֵלְא לְרַבִּי דוּסָא מַאי אִיכָא לְמִימַר? דְּתַנָּי: “וְהִנִּיחֵם שָׁם” – מְלַמֵּד שְׂטַעוּיָין גְּמִיזָה.

The Gemara comments: The fact that the Torah mentions this *halakha* twice **works out well according to the opinion of the Rabbis**, who maintain that the priestly vestments worn by the High Priest on Yom Kippur require interment. **But according to the opinion of Rabbi Dosa, what can be said? As it is taught in a baraita:** The verse states: “And Aaron shall come into the Tent of Meeting, and shall take off the linen garments, which he put on when he went into the sacred place, **and he shall leave them there**” (Leviticus 16:23). This phrase **teaches that his vestments require interment.** Although their use for the mitzva has been completed, it is prohibited to derive benefit from these garments. This is the opinion of the Rabbis.

רַבִּי דוּסָא אָמַר: כְּשִׁירֵין הֵן לְבָהֵן הַדְּיוּט, וּמָה תְלַמּוּד לֹאמַר “וְהִנִּיחֵם שָׁם” – שְׁלֵא יִשְׁתַּמֵּשׁ בָּהֶן בְּיוֹם הַכַּפּוּרִים אַחַר!

Rabbi Dosa says: These priestly vestments may no longer be used by the High Priest on Yom Kippur, **but they are fit for use by an ordinary priest**, as they are similar to those worn by ordinary priests on a daily basis. Rabbi Dosa adds: **And what is the meaning when the verse states: “And he shall leave them there”?** This teaches that the High Priest **may not use them on another Yom Kippur.** According to the opinion of Rabbi Dosa, only one verse teaches there is misuse of consecrated property with regard to an item that has already been used for performing its mitzva. Therefore, one should derive a principle from the verse discussing the removal of the ashes.

HALAKHA

The removal of the ashes – תְרוּמַת הַדָּשָׁן – One is liable for misusing the ashes of the external altar, whether he did so before or after they were removed (Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 2:14).

The priestly vestments – בְּגָדֵי כְהוֹנֵה – The vestments of the High Priest that have worn out require interment, as do the white vestments he has worn once for the Yom Kippur service, in accordance with the opinion of the Rabbis (Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 8:5).

פיטום הקטרת וכי – The blending of the incense, etc. – The incense comprises eleven ingredients, whose weights are as follows: Balm, onycha, galbanum, and frankincense each weigh seventy *maneh*. Myrrh, cassia, spikenard, and saffron each weigh sixteen *maneh*. Costus weighs twelve *maneh*, aromatic bark three *maneh*, and cinnamon nine *maneh*. This is a total of 368 *maneh*. How is the incense blended? One brings nine *kav* of Kersannah lye, in which one rubs the onycha, and then soaks the onycha in twenty-one *kav* of strong Cyprus wine or very strong, old white wine. Next, he finely grinds each ingredient on its own. Finally, he adds a quarter-*kav* of Sodomite salt, and a minimum amount of Jordan amber and smoke raiser (Rambam *Sefer Avoda, Hilkhhot Kelei HaMikdash* 23–5 and *Hilkhhot Ma'aseh HaKorbanot* 8:10).

משום דהוי תרומת הדשן ועגלה ערופה שני כתובין הבאין באחד, וכל שני כתובין הבאין באחד אין מלמדין. תרומת הדשן מאי היא? דתנאי: 'ושמו אצל המזבח' – מלמד שטעונין גניזה. עגלה ערופה מאי היא? דתנאי: 'וערפו שם את העגלה בנחל' – מלמד שטעונין גניזה.

ולמאן דאמר: שני כתובין הבאים באחד מלמדיו, הכא ודאי אין מלמדיו, משום דהוי תרי מיעוטי; בתרומת הדשן כתוב 'ושמו' – הדין אין, מידי אחרינא לא. גבי עגלה ערופה כתוב: 'הערופה' – ערופה אין, מידי אחרינא לא.

תנו רבנן: פיטום הקטרת, הצרי והציפורן והחלבנה והלבונה – משקל שבעים של שבעים מנה, מור וקוציעה שיבולת נרד וכרכום – משקל ששה עשר של ששה עשר מנה, הקושט – שנים עשר, קילופה – ששה, וקנמון – תשעה. בורית ברשינה – תשעה קבין. יין קפריסין – סאין תלתא קבין תלתא. אם אין לו יין קפריסין – מביא חמר חיריין עתיק. מלח סדומית – רובע, מעלה עשן – כל שהוא. רבי נתן אומר: אף כיפת הירדן כל שהוא.

The Gemara answers: One cannot derive a general principle from this case, because the removal of the ashes and the *halakha* of the heifer whose neck is broken, from which one may not derive benefit after that rite has been performed, are two verses that come as one, and any two verses that come as one do not teach their common aspect to apply to other cases. The Gemara elaborates: What is the case of the removal of the ashes? As it is taught in a *baraita*: The verse states: “And he shall put them beside the altar” (Leviticus 6:3). This teaches that they require interment. What is the case of the heifer whose neck is broken? As it is taught in a *baraita*: The verse states: “And they shall break the heifer’s neck in the valley” (Deuteronomy 21:4). This teaches that such heifers require interment.

The Gemara adds: And even according to the one who says that two verses that come as one do teach their common aspect to apply to other cases, here they certainly do not teach that misuse of consecrated property applies to items whose mitzva has been performed. This is due to the fact that there are two terms indicating exclusions with regard to these *halakhot*, limiting this *halakha* to those cases. With regard to the removal of the ashes it is written: “And he shall put it.” The word “it” teaches that in this particular case, yes, there is misuse of consecrated property, but with regard to any other matter this prohibition does not apply. With regard to the heifer whose neck is broken it is written: “The heifer that had its neck broken” (Deuteronomy 21:6). The word “the” indicates that with regard to the heifer that had its neck broken, yes, but with regard to any other matter the prohibition of misuse of consecrated property does not apply.

S The Sages taught in a *baraita*: How is the blending of the incense^h performed? Balm,ⁿ and onycha,ⁿ and galbanum, and frankincense, each of these by a weight of seventy *maneh*, i.e., seventy units of one hundred dinars. Myrrh, and cassia, and spikenard, and saffron, each of these by a weight of sixteen *maneh*. Costus by a weight of twelve *maneh*; three *maneh* of aromatic bark; and nine *maneh* of cinnamon. Kersannah lye of the volume of nine *kav*; Cyprus wineⁿ of the volume of three *se'a* and three more *kav*, a half-*se'a*. If one does not have Cyprus wine he brings old white wine. Sodomite salt is brought by the volume of a quarter-*kav*. Lastly, a minimal amount of the smoke raiser,ⁿ a plant that causes the smoke of the incense to rise properly. Rabbi Natan says: Also a minimal amount of Jordan amber.ⁿ

NOTES

פיטום הקטרת והצרי וכי – The blending of the incense, balm, etc. – This *baraita* first lists the eleven main ingredients of the incense, by weight of *maneh*, which is one hundred dinars, or roughly 400 g. The total weight is 368 *maneh*. According to Rashi, this is the sacred *maneh*, which was double the regular *maneh* (see *Bekhorot* 5a). Those substances that are listed by volume, i.e., by the *kav* and *se'a*, are not the main ingredients of the incense.

Balm and onycha – הצרי והציפורן: Balm is the *nataf*, or stacte, mentioned in Exodus 30:34, while onycha is called *shehelet* in that verse. With regard to the source for the requirement to add the other ingredients, see 6b.

Cyprus [kafrisin] wine – יין קפריסין: The translation follows the opinion that this is referring to the name of a place. Rashi maintains that this wine is produced from the fruit of the caper [*kafrisin*].

The smoke raiser – מעלה עשן: This herb was known only to a few people, in particular the Avtinas family, as mentioned on *Yoma* 38a. The herb would cause the incense smoke to rise vertically in

a straight line. The smoke raiser was used to fulfill an allusion from a verse that deals with the Yom Kippur service: “For I appear in the cloud upon the Ark cover” (Leviticus 16:2). The Sages derived from here that the incense of the entire year must form a cloud over the Ark. Some later authorities maintain that the smoke raiser is an essential ingredient in the incense, and one is liable to receive death at the hand of Heaven for preparing the incense without it, despite the fact that it is not listed in Exodus 30:35 among the ingredients of the incense (see *Yoma* 53a; Rambam *Sefer Avoda, Hilkhhot Kelei HaMikdash* 23 and *Mishne LaMelekh* there).

Jordan amber [kipfat hayyarden] – כיפת הירדן: Rashi here explains that this refers to a plant that grows on the banks of the Jordan River. In his commentary on *Bava Kamma* 82b, Rashi states this is a rose with a fragrant odor; see also *Siddur Rashi* 433. Others explain it is the excrement of a fish (cited by *Shita Mekubbetzet*). The Rambam maintains it is amber. According to some commentaries, the amber was also used to rub the onycha, as was the Kersannah lye (*Tosafot*).

ואם נתן בה דבש פסלה. חיסר אחת מכל סממניה חייב מיתה. רבי שמעון אומר: הצרי אינו אלא שרף מעצי הקטף. בורית ברשינה - ששפין בה את הצפורן כדי שתהא נאה. יין קפריסין - ששורין בו את הצפורן כדי שתהא עזה. והלא מי רגלים יפין לה, אלא שאין מכניסין מי רגלים למקדש.

מסייע ליה לרבי יוסי ברבי חנינא, דאמר: קדש היא קדש תהיה לכם - כל מעשיה לא יהו אלא בקדש.

מיתבי: המקדיש נכסיו והיו בה דברים הראויין לקרבנות העיבור - ינתנו לאומנן בשכרן;

הני דברים הראויין מאי ננהו? אי בהמה וחיה - תנא ליה, אי יונות שמנים וסלתות - תנא ליה. אלא לא קטרת!

And if one placed honey in the incense he has disqualified it, as it is stated: "For you shall make no leaven, nor any honey, smoke as an offering made by fire unto the Lord" (Leviticus 2:11). If he omitted any one of its spices^h he is liable to receive death at the hand of Heaven.ⁿ Rabbi Shimon says: The balm mentioned here is nothing other than a resin^h exuded from the balsam tree, not the bark of the tree itself. The Kersannah lye mentioned is not part of the ingredients of the incense itself, but it is necessary as one rubs the onycha in it so that the onycha should be pleasant. Likewise, the Cyprus wine is required as one soaks the onycha in it so that it should be strong. And urine is good for this purpose, but one does not bring urine into the Temple^{hn} because it is inappropriate.

The Gemara comments: This final ruling supports the opinion of Rabbi Yosei, son of Rabbi Hanina, who says with regard to a verse that discusses the incense: It is sacred, it shall be sacred to you (see Exodus 30:36-37), that this teaches that all of its actions should be performed only in the sacred area^h of the Temple.

The Gemara raises an objection from a mishna (*Shekalim* 4:6): With regard to one who consecrates all his possessions^h without specifying for what purpose, they are consecrated for Temple maintenance. And if among them there were items suitable for use as communal offerings, which may not be used for the maintenance of the Temple but only for sacrificial purposes, what is done with those items to remove their consecration for Temple maintenance so that they can be properly consecrated for sacrificial use? They are given to Temple artisans as their wages, and they are thereby desacralized. They can then be consecrated again for their proper purpose.

The Gemara analyzes the mishna: These items that are suitable for use as communal offerings, what are they? If they are domesticated animals and undomesticated animals, the tanna taught the halakha with regard to them later in that same mishna. Likewise, if they are wines, oils, and flours, the tanna taught them in that mishna as well. Rather, is it not referring to incense consecrated by a private individual? If so, this would mean that one can prepare and consecrate incense outside the Temple.

חיסר אחת מכל - חיסר אחד מכל סממניה: If one placed any amount of honey in the incense he has disqualified it, and if he burns this incense in the Sanctuary he is liable to receive lashes. If he omitted any one of its spices, he is liable to receive death at the hand of Heaven, as this is considered a foreign incense (Rambam *Sefer Avoda, Hilkhot Ma'aseh HaKorbanot* 2:8 and *Hilkhot Issurei Mizbe'ah* 5:2; see *Hilkhot Avodat Yom HaKippurim* 5:25).

The balm mentioned here is nothing other than a resin, etc. - הצרי אינו אלא שרף וכו' - The nataf mentioned in the Torah (Exodus 30:34) is a resin exuded from the wood of the resinous balsam tree. The halakha is in accordance with the opinion of the first tanna, not Rabban Shimon ben Gamliel (Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 2:4, and see *Kesef Mishne* and Mahari Kurkus there).

One does not bring urine into the Temple - אין מכניסין מי רגלים למקדש: Urine may not be brought into the Temple (Rambam *Sefer Avoda, Hilkhot Ma'aseh HaKorbanot* 8:10).

All of its actions should be performed only in the sacred area - כל מעשיה לא יהו אלא בקדש: All aspects of the blending of the incense must be performed inside the Temple courtyard, and the ingredients belong to the Sanctuary. One who blends the incense from non-sacred ingredients or in a non-sacred vessel has disqualified it. The halakha is in accordance with the opinion of Rabbi Yosei, son of Rabbi Hanina (Rambam *Sefer Avoda, Hilkhot Ma'aseh HaKorbanot* 2:6).

One who consecrates all his possessions, etc. - המקדיש נכסיו וכו': When someone consecrates all his possessions without specifying for what purpose, and they include incense or one of its ingredients, these should be given to the Temple artisans as their wages in a procedure like that performed with the leftover incense. This follows the two explanations of the mishna stated by the Gemara, the first of which also appears in the Jerusalem Talmud (Rambam *Sefer Hafla'a, Hilkhot Arakhin VaHaramim* 5:10, and see *Mishne LaMelekh* there).

NOTES

If he omitted any one of its spices he is liable to receive death at the hand of Heaven - חיסר אחת מכל סממניה חייב מיתה - The same applies if the appropriate measure of any of the ingredients was lacking (*Siddur Rashi* 433). Some commentaries maintain one is liable only for omitting the eleven main ingredients (*Beit Yosef* on *Orah Hayyim* 583). It is stated in the Jerusalem Talmud (*Yoma* 4:5) that if one did not place salt in the incense, or if he omitted the smoke raiser, he is likewise liable to receive death at the hand of Heaven. The *Mishne LaMelekh* addresses this at great length on Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 2:3.

The *Sefer HaHinnukh* (110) writes that one is liable to receive death at the hand of Heaven merely for preparing the incense in this manner, whereas the Rambam contends he is liable to receive death at the hand of Heaven only for burning such incense (see Exodus 30:9). The commentaries note that the Torah does not explicitly mention death at the hand of Heaven for this transgression (see Mahari Kurkus and Radbaz). According to some, the liability to receive death at the hand of Heaven applies only on Yom

Kippur when the High Priest enters the Holy of Holies, as indicated by the verse: "That he come not at all times into the holy place within the veil, before the Ark Cover which is upon the ark; that he will not die" (Leviticus 16:2). The reason is that if the incense is improperly prepared the High Priest's entrance is considered to be for naught. It is possible that the halakha with regard to incense all year round is derived from that of Yom Kippur (*Siddur Rashi*, based on *Yoma* 53a).

One does not bring urine [mei raglayim] into the Temple - אין מכניסין מי רגלים למקדש: Some commentaries maintain this is not referring to actual urine but to waters of a spring that were called by this name because they were foul (*Siddur Rashi*). Alternatively, the expression *mei raglayim*, which literally means waters of the feet, refers to the fact that the priests would wash their feet in those waters (*Siddur Roke'ah*). Another explanation is that it refers to a type of plant by this name (*Shita Mekubbetzet*, citing *Tosafot*).

Leftover incense – מותר הקטרת: Leftover incense was treated in the same manner as leftover animals that had been designated as daily offerings. When the month of Nisan arrived, the Temple treasurers desacralized these items using money that was meant to pay the wages of the artisans who worked in the Temple. That money was then used for the replenishing of the altar, and the artisans took the leftover incense as their wages. The Temple treasury then repurchased the incense from the artisans with funds from the new collection of the chamber. The incense could then be brought, as it had been purchased with the collection of the current year (Rambam *Sefer Zemanim, Hilkhot Shekalim* 4:12).

שֵׁלֶשׁ מאות ששים ושמונה מנה וכו' – 368 maneh, etc. – The total weight of the ingredients of the incense is 368 maneh. Three hundred and sixty-five of these correspond to the days of the solar year. The extra three maneh are ground very finely on Yom Kippur eve and the High Priest brings and burns from them the handful required on Yom Kippur. Whatever is unused over the course of the year is given to the artisans for their wages (Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 2:3).

אמר רבי אושעיא: באותה הניתנת לאומנים בשכרן. דתניא: מותר הקטרת מה היו עושין בה? היו מפרישין ממנה שכר האומנין, ומחללין אותה על מעות האומנין, ונותנין אותן לאומנין בשכרן, וחוזרין ולקחין אותה מתרומה חדשה.

מתקיף לה רב יוסף: הא בכולהו מותרות תני: חוזרין ולקחין אותה מתרומה חדשה, והכא לא תני!

אלא אמר רב יוסף: באחד מסממני הקטרת.

תנו רבנן: קטרת היתה נעשית שלש מאות ששים ושמונה מנה, שלש מאות ששים וחמשה כנגד ימות החמה, שלשה מגין יתירין שמהן מכניס בהן גדול מלא חפניו ביום הכיפורים, והשאר ניתנת לאומנין בשכרן.

בדתניא: מותר הקטרת מה היו עושין בה? מפרישין ממנה שכר האומנין, ומחללין אותה על מעות האומנין, ונותנין אותן לאומנין בשכרן, וחוזרין ולקחין אותה מתרומת הלשכה.

Rabbi Oshaya said: The mishna is referring to that incense which is given to the Temple artisans as their wages, i.e., the incense was prepared in the sacred place and was desacralized when it was given to the artisans, who subsequently consecrated it. As it is taught in a mishna (*Shekalim* 4:5): **The leftover incense^h** from one year could not be used the following year, as it had been purchased with the shekels collected for the previous year. **What would they do with it in order to render it usable?** The Temple treasurers would remove an amount of it equal to the value of the wages of the artisans who worked in the Temple. **And they would then desacralize that incense by transferring its sanctity to the money owed the artisans. They would then give the incense to the artisans as their wages. And finally, they would return and purchase the incense from the artisans with funds from the new collection of shekels.**

Rav Yosef objects to this explanation: How can the mishna in *Shekalim* 4:6 be interpreted as referring to artisans who consecrated leftover incense? **With regard to all leftovers the tanna teaches: They would return and purchase the incense from the artisans with funds from the new collection of shekels, as stated in the mishna earlier. And yet here, in tractate Shekalim, the tanna does not teach this clause, indicating that it is not speaking of incense paid to the artisans and repurchased from them.**

Rather, Rav Yosef says: The mishna is referring to one of the ingredients of the incense, which an individual consecrated when it is not in the Temple. It is not speaking of incense that has already been blended, as this action may be performed only in the sacred area, as claimed by Rabbi Yosei, son of Rabbi Hanina.

The Sages taught in a *baraita*: The incense was prepared from ingredients amounting to the weight of 368 maneh,^h i.e., 368 units of one hundred dinars. Of these, 365 of them correspond to the days of the solar year. The additional three maneh are those from which the High Priest would bring in to the Sanctuary his handful required on Yom Kippur (see *Leviticus* 16:12), and the rest, i.e., the incense that was not used over the course of the year, was given to the artisans as their wages.

This is as it is taught in the aforementioned mishna (*Shekalim* 4:5): **With regard to the leftover incense, what would they do with it?** The Temple treasurers would remove an amount of it equal to the value of the wages of the artisans who worked in the Temple. **And they would then desacralize that incense by transferring its sanctity to the money owed to the artisans. They would then give the incense to the artisans as their wages. And finally, they would return and purchase the incense from the artisans with funds from the collection of the Temple treasury chamber.**

Perek I
Daf 6 Amud b

תנו רבנן: מותר הקטרת, אחת לששים או לשבעים שנה היו מפטמין אותה לחצאין, לפיכך יחיד שפויטם לחצאין – חייב, דברי רבן שמעון בן גמליאל שאמר משום הקנן.

§ The Sages taught in a *baraita*: The leftover of the incense, from the three extra maneh each year, would accumulate so that once every sixty or every seventy years they would blend the incense for the new year by halves, i.e., they required only half the usual amount, and the other half would come from the leftover incense. Therefore, a private individual who blended incense by halves in order to smell it is liable for violating the prohibition: “And the incense that you shall prepare, according to its composition you shall not prepare for yourselves, it shall be to you sacred for the Lord” (*Exodus* 30:37). This is the statement of Rabban Shimon ben Gamliel, who said it in the name of the deputy High Priest.

אֲבָל שְׁלִישׁ וְרִבְעִי לֹא שָׁמַעְתִּי. וְהַכְּמִים
אוֹמְרִים: בְּכָל יוֹם מִתְקַן בְּמִתְבַּנְתָּהּ וְהִיא
מִכְּנִים.

מִסִּיעֵה לִּיהָ לְרֵבָא, דְּאָמַר רַבָּא: שָׁמֵן הַמְּשֻׁחָה
שֶׁפָּטְמוּ לְחֻצְאִין – חַיִּיב, דְּתַיִב: “וְהִקְטַרְתָּ
אֶשֶׁר תַּעֲשֶׂה” – כָּל שֶׁתַּעֲשֶׂה, וְהָא אֶפְשֵׁר
דְּעִבְדָּה פְּרָם בְּשַׁחֲרִית וּפְרָם בֵּין הָעֶרְבִים.

תַּנּוּ רַבְנֵי: הֵיוּ מְחֻזְרִין אוֹתָהּ לְמִכְתֶּשֶׁת פְּעַמִּים
בְּשָׁנָה, בִּימֵי הַחֶמֶה פּוֹרָה – שְׁלֹא תִתְעַפֵּשׂ,
בִּימֵי הַגְּשָׁמִים צְבוּרָה – כְּדֵי שְׁלֹא תִפּוּג
רִיחָהּ. וְכִשְׁהוּא שׁוֹחֵק, אוֹמֵר: “הִדֵּק הַיֵּטֵב,
הַיֵּטֵב הַדֵּק”, דְּבָרֵי אַבְא יוֹסִי בֶן יוֹחָנָן.

וְשִׁלֵּשׁ מִנּוּן יִתְרוּן שִׁמְחָה כְּהֵן גְּדוֹל מְכַנֵּס מֵלֵא
חֲפָנָיו בְּיוֹם הַכִּפּוּרִים, נוֹתֵן אוֹתָהּ לְמִכְתֶּשֶׁת
בְּעֶרֶב יוֹם הַכִּפּוּרִים, וְשׁוֹחֵק יָפָה יָפָה כְּדֵי
שֶׁתִּהְיֶה דִקָּה מִן הַדִּקָּה. כְּדִתְנִיא: “דִּקָּה” מֵהַ
תְּלִמּוּד לּוֹמֵר? וְהֵלֵא כָּבֵד נֶאֱמַר: “וְשִׁחֲקֵתָ
מִמֶּנּוּ הַדֵּק”, מֵהַ תְּלִמּוּד לּוֹמֵר “דִּקָּה”? כְּדֵי
שֶׁתִּהְיֶה דִקָּה מִן הַדִּקָּה.

אָמַר מֶר: כִּשְׁהוּא שׁוֹחֵק, אוֹמֵר “הַיֵּטֵב הַדֵּק,
הַדֵּק הַיֵּטֵב”. מִסִּיעֵה לִּיהָ לְרַבֵּי יוֹחָנָן, דְּאָמַר
רַבֵּי יוֹחָנָן: כִּשְׁמֵהּ שֶׁהַדִּבּוּר רַע לִיָּן, כֵּן הַדִּבּוּר
יָפָה לְבִשְׁמֵים.

אָמַר רַבֵּי יוֹחָנָן: אֶחָד עֶשֶׂר סִמְמָנִין נֶאֱמָרוּ לוֹ
לְמֹשֶׁה בְּסִינַי. אָמַר רַב הוֹנָא: מֵאֵי קָרְאָהּ? “קָח
לְךָ סַמִּים” – תֵּרִי, נֶטְף וְשַׁחֲלֵל וְחִלְבֹנָה” – הָא
חֲמִשָּׁה, וְ“סַמִּים” אַחֲרֵינִי – חֲמִשָּׁה, הָא עֶשְׂרֵה;
“וְחִלְבֹנָה וְכֹה” חַד – הָא חַד סָרִי.

Rabban Shimon ben Gamliel added: **But I did not hear the same with regard to the blending of one-third or one-quarter of the amount of the incense. And the Rabbis say: Every day one would prepare incense for the day according to its composition,^h i.e., in the appropriate ratio for each ingredient, and he would bring it in the Sanctuary and burn it on the golden altar.**

The Gemara comments: This opinion of the Rabbis **supports** the opinion of Rava, as Rava says: With regard to the anointing oil that one blended in parts,^h i.e., in any amount, in order to apply it to the skin, he is exempt, but if one blended the incense to smell it, even in parts, he is liable, as it is written: “**And the incense that you shall prepare, according to its composition you shall not prepare for yourselves**” (Exodus 30:37). This teaches that **any incense of the amount that you prepare for the Sanctuary is prohibited, as it is possible to burn a portion, i.e., one-half of the maneh that must be prepared, in the morning, and a portion in the afternoon.**

The Sages taught in a *baraita*: **They would return the incense^h to the mortar to regrind it twice a year; in the summer they would place it scattered so that it should not grow moldy, while in the rainy season it was kept piled, in order that its scent should not dissipate. And when one would grind the incense he would say: Crush well,^{NBH} well crush; this is the statement of Abba Yosei ben Yoḥanan.**

And as for the extra three *maneh* of incense from which the High Priest would bring in his handful required on Yom Kippur, one would place it in the mortar on Yom Kippur eve and grind it thoroughly so that the incense should be extra fine. As it is taught in a *baraita*: The verse states, with regard to the incense on Yom Kippur, that it shall be: “**Finely ground aromatic incense**” (Leviticus 16:12). What is the meaning when the verse states this? Isn’t it already stated with regard to all incense: “**And you shall grind some of it finely**” (Exodus 30:36)? Why must the verse state “finely ground”? This teaches that on Yom Kippur one must grind the incense more, in order that it should be extra fine.

The Master said earlier: **When one would grind the incense he would say: Crush well, well crush.** The Gemara notes that this supports the opinion of Rabbi Yoḥanan, as Rabbi Yoḥanan says: **Just as speech is detrimental to wine, and therefore no words were spoken during its preparation, so too, gentle speech is beneficial to the preparation of the spices of the incense.**

§ Rabbi Yoḥanan says: The eleven ingredients of the incense were stated by God to Moses at Sinai, as not all of them are specified in the verses. Rav Huna said: **What is the verse from which it is derived?** “Take for you spices, stacte, and onycha, and galbanum; spices with pure frankincense” (Exodus 30:34). The plural form of the phrase: “**Take for you spices**” is referring to two ingredients; “**stacte, and onycha, and galbanum**” are three ingredients; this results in a total of five; and the other mention of “**spices**” indicates that there are another five, i.e., that one should double the previous total, and this results in a total of ten. And finally, “**pure frankincense**” is one, and this results in a total of eleven.

NOTES

אומר הדק היטב – According to the Rambam, the grinder states this formula during the preparation of the incense. Moreover, some explain that he is saying to the object: Be crushed well (*Siddur Rashi*). Rashi here states that the overseer instructs the grinder to crush well.

BACKGROUND

When one would grind the incense he would say **crush well** – **כשהוא שוחק אומר הדק היטב**: Many explanations have been suggested for this practice. Some claim that sound waves are beneficial for the mixture or for the fragrance. Others contend that this is a rhythmical chant that aids the steady grinding of the spices or that helps the two individuals holding the pestle to work as a team. Some read the text here slightly differently, so that instead of: Speech is beneficial to the preparation of the spices [*labesamim*], it states: Speech is beneficial to those preparing the spices of the incense [*labesamim*].

HALAKHA

Every day one would prepare incense for the day according to its composition, etc. – **בכל יום מתקן במתבונתהּ וכו'** – If one blends the incense for the Temple in the correct ratio a little at a time it is valid, even if he prepared a portion in the morning and a portion in the afternoon (Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 2:8).

That one blended in parts – **שפִּטְמוּ לְחֻצְאִין** – One who prepares the incense from the proper ratio of its eleven ingredients in order to smell it is liable, even if he did not blend the entire amount but only one-half or one-third. The *halakha* is in accordance with the opinion of Rava (Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 2:9, and see Mahari Kurkus there).

They would return the incense – **היו מחזירין אותה**: Twice a year the incense would be returned to the mortar. In the summer it would be scattered so that it would not grow moldy, and in the rainy season they would pile it so that its scent would not dissipate, as stated in the *baraita* (Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 2:7).

Say crush well, etc. – **אומר הדק היטב וכו'** – When grinding the ingredients of the incense one says: Crush well, well crush, as he grinds and mixes the ingredients, in accordance with the *baraita* (Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 2:5).

BACKGROUND

A generalization and a detail and a generalization – When a generalization in the Torah is followed by one or more details, and they, in turn, are followed by another generalization, the application of the halakha under discussion is limited to items somewhat similar to the detail. For example, the Torah states with regard to money used to redeem the second tithe: “You shall spend the money on whatever you desire; on cattle, sheep, wine, strong drink, or whatever you wish” (Deuteronomy 14:26). The Talmud derives that tithing money may be spent only on items somewhat similar to the items detailed in the verse: Cattle, sheep, wine, and strong drink. The resulting principle is that one may spend the tithing money on items that derive sustenance from the ground even if they did not actually grow from the ground.

ואימא: “סמים” – כלל, “נטף ושחלת וחלבנה” – פרט, “סמים” – חזר וכלל; כלל ופרט וכלל – אי אתה דן אלא בעין הפרט: מה הפרט מפורט, דבר שקישר ועולה וריחו נודף – אף כל דבר שקישר ועולה וריחו נודף!

וכי תימא, אם כן לכתוב קרא חד פרטא – לאיי, מיצוד צריכי, דאי כתב נטף, הוה אמנא: מין אילן אין, אבל גידולי קרקע לא, משום הכי כתב “ושחלת”, ואי כתב “ושחלת”, הוה אמנא: גידולי קרקע – אין, אבל מין אילן – אימא לא, משום הכי כתב נטף;

וחלבנה לגופיה אתא, מפני שריחה רע! אם כן מ”קח לך” נפקא ליה.

ואימא: “סמים” בתראי תרין נינהו כ”סמים” קדמאי! אם כן, נכתוב: “סמים” “סמים” בהדי הדדי, וסוף נכתוב: “נטף ושחלת וחלבנה”.

דבי רבי ישמעאל תני: “סמים” – כלל, “נטף ושחלת וחלבנה” – פרט, “סמים” – חזר וכלל, כלל ופרט וכלל – אי אתה דן אלא בעין הפרט: מה הפרט מפורט, דבר שקישר ועולה וריחו נודף – אף כל דבר שקישר ועולה וריחו נודף.

או אינו אלא כלל בכלל ראשון, ופרט בפרט ראשון? אמרת: לאו, הא אין לך עליך לדון בלשון אחרון אלא בלשון ראשון.

The Gemara raises a difficulty: **But** why not say the first mention of “spices” is a generalization; “stacte, and onycha, and galbanum,” is a detail; and when the verse repeats “spices” it is then generalized again. This is the hermeneutical principle of: a generalization, and a detail, and a generalization,⁸ and therefore you may deduce that the verse is referring only to items similar to the detail: **Just as the detail is explicit** in that it is referring to an item whose smoke rises and its scent diffuses, so too, it includes any item whose smoke rises and its scent diffuses.

And if you would say: If that is so, that this is a generalization, and a detail, and a generalization, then **let the verse write only one detail** of the three; the fact is that indeed [*la’ei*],¹ all the details are necessary. As, if the Torah had written merely “stacte,” I would say that spices from a type of tree, yes, they may serve as ingredients of the incense, but spices grown from the ground, no, they may not serve this purpose. It is due to that reason that the verse wrote “and onycha.” And if the Torah had written only “and onycha,” I would say that spices grown from the ground, yes, they may serve as ingredients of the incense, but spices from a type of tree, one might say no, they may not serve this purpose. It is due to that reason that the verse wrote “stacte.”

The Gemara concludes its rejection of the suggested resolution: **And** as for the mention of galbanum, this comes for itself, i.e., one would not otherwise have included this ingredient, because unlike the other spices its smell is foul. Consequently, all these details are necessary, and therefore it is possible to expound the verse as a generalization, and a detail, and a generalization, which means that the difficulty remains: How is it derived that there were eleven spices? The Gemara answers: **If so**, that the verse is a generalization, and a detail, and a generalization, there is no need for the first mention of “spices,” as one could derive the generalization from the phrase “Take for you.”

The Gemara raises another difficulty: How is it derived from the verse that there are eleven spices? **But** why not say that the last mention of “spices” signifies two ingredients, just like the first mention of “spices”? The Gemara answers: **If so**, let the verse write “spices” and “spices” together, and afterward let it write “stacte, and onycha, and galbanum.” The fact that the second mention of “spices” is written after all those specified ingredients indicates that its number corresponds to the total of all of them.

The school of Rabbi Yishmael teaches in a *baraita*: The first mention of “spices” is a generalization; “stacte, and onycha, and galbanum,” is a detail; and when the verse repeats “spices” it then generalized again. This is a generalization, and a detail, and a generalization, and you may deduce that the verse is referring only to items similar to the detail: **Just as the detail is explicit** in that it is referring to an item whose smoke rises and its scent diffuses, so too, it includes any item whose smoke rises and its scent diffuses.

The *baraita* continues: **Or** perhaps it is only that the second generalization is in the same category as the first generalization, and the second detail is in the same category as the first detail. **You** must say that this is not the case; consequently, you cannot learn in accordance with the last version, but rather you must learn in accordance with the first version.

LANGUAGE

Indeed [*la’ei*] – לאיי: The root of this term and its meaning have not been sufficiently clarified. According to Rashi it means in truth or indeed. Some maintain the word is a shortened form of the Hebrew expression *lo hi* or the Aramaic phrase *la hai*, both meaning: Not so. Alternatively, it is a shortened form of the Aramaic expression *kelapei laya*, just the opposite, and which often appears

in the Talmud in a dispute between Sages. The *Arukh* claims it is a compound of two words: The Aramaic *la* and the Greek *υίος*, *huios*, meaning son. If so, the word *la’ei* would mean: No, my son. In any event, the expression introduces an inescapable conclusion, that the statement that follows must be accepted as true.

NOTES

Reish Lakish says – ריש לקיש אָמר – Apparently, Reish Lakish does not derive the ingredients of the incense from the verse or from the hermeneutical principle of a generalization, and a detail, and a generalization. In his opinion, the eleven ingredients are not a halakha transmitted to Moses at Sinai. Rather, ketoret, the term for incense, alludes to the spices that would produce the intended effect. It is likewise stated in the midrash (Shir HaShirim Rabba 3:5) that the Sages examined the matter and found nothing better for the incense than these eleven ingredients (see Ramban's Commentary on the Torah, Exodus 30:34).

HALAKHA

Any fast that does not include some of the sinners of the Jewish people – כָּל תַּעֲנִית שְׂאִין בָּהּ מִפּוֹשְׁעֵי יִשְׂרָאֵל – There is a custom for the prayer leader on the night of Yom Kippur to recite the formula: With the agreement of God and with the agreement of the community, in the Heavenly council and in the council of man, we give leave to pray with the transgressors among us. This is based on the statement of Rabbi Shimon Hasida here (Shulhan Arukh, Orah Hayyim 619:1).

אָמַר מֶר: אוֹ אֵינוֹ אֵלָּא כָּלֵל בְּכֹלֵל
רֵאשׁוֹן וּפְרֵט בְּפֵרֵט רֵאשׁוֹן? אֲמַרְתָּ: לֹא.
הֲאֵין עֲלֶיךָ לְדוֹן. מֵאֵי קוּשִׁיאָא? הֲכֵי
קָא קִשְׂיָא לִיה: "סַמִּים" בְּתַרְאֵי תַרִי, בִּי
"סַמִּים" קְדָמָאֵי תַרִין! הֲדַר וְשַׁעַי בְּדִשְׁנָן,
דְּאִם כֵּן נִכְתוּב קְרָא: "סַמִּים סַמִּים נִטְוָה
וְשִׁחַלְת וְחִלְבָנָה".

The Gemara clarifies the latter clause of the baraita. The Master said: Or perhaps it is only that the second generalization is in the same category as the first generalization, and the second detail is in the same category as the first detail. You must say that this is not the case; consequently, you cannot learn in accordance with the last version, but rather you must learn in accordance with the first version. The Gemara asks: What is the difficulty alluded to here by the baraita? The Gemara explains that this is what is difficult to the tanna: Let us say that the last mention of "spices" is referring to two ingredients, just as the first mention of "spices" is referring to two ingredients. The tanna then answered as we answered earlier, that if so, let the verse write: Spices, spices, stacte, and onycha, and galbanum, in that order.

וּמֵאֵי פְרֵט בְּפֵרֵט רֵאשׁוֹן? הֲכֵי קָא
קִשְׂיָא לִיה: מֵינֵי אֵילוּת יִלְפֵי מִן נִטְוָה,
וְגִידוּלֵי קִרְקַע יִלְפֵי מִשְׁחַלְתָּה; וְלִילְפֵי נִמְי
מִלְבוּנָה וְכָה דְאֵיִיתֵי בְּחַד צַד, דְּיִנְתֵי
דְּבַר שְׂרִיחוֹ נוֹדֵף וְאֵף עַל פִּי שְׂאִין קוּטְר
וְעוּלָה!

The Gemara further asks: And what is the meaning of the suggestion: The second detail is in the same category as the first detail? The Gemara answers that this is what is difficult to the tanna: Since it is derived by the principle of a generalization, and a detail, and a generalization that all items similar to those specified in the verse are included, as stated earlier that spices from types of trees are derived from the mention of stacte and spices grown from the ground are derived from the mention of onycha, one might say as follows: Let them also learn from the mention of pure frankincense, which includes one aspect, i.e., that one should include an item whose scent diffuses, even though its smoke does not rise.

הֲדַר אָמַר: אִם כֵּן, נִכְתוּב קְרָא לְלְבוּנָה
וְכָה בְּמִיָּצְעֵי וְתִלְף מִינָה.

The Gemara continues: The tanna then said that this cannot be the case, as if so, let the verse write "pure frankincense" in the middle, between the two mentions of "spices," alongside stacte, onycha, and galbanum, and then one would derive this halakha from it. Since the frankincense is mentioned after the second mention of "spices," it is not part of the generalization, detail, and generalization.

אֵי בְּתַבִּיבָה לְבוּנָה וְכָה בְּמִיָּצְעֵי, הוּוּיִן
תַרִי עֲשֵׂר! אִם כֵּן, נִכְתוּב קְרָא לְבוּנָה
וְכָה בְּמִיָּצְעֵי וְחִלְבָנָה לְבַסּוּף. רִישׁ לְקִישׁ
אָמַר: מִגּוּפָה, מַה לְשׁוֹן קְטֹרֶת – דְּבַר
שְׂקוּטְר וְעוּלָה.

The Gemara questions this claim: If the verse were to write "pure frankincense" in the middle, there would be twelve ingredients in the incense, as that ingredient would also be included in the doubling of the second mention of "spices." The Gemara explains: If so, that frankincense is meant to be one of the details, let the verse write "pure frankincense" in the middle and "galbanum" at the end, after the second mention of "spices." Since the verse placed frankincense at the end, one cannot derive halakhot from it as a detail. Reish Lakish says⁴ that this halakha can be derived from the word incense itself: What is the meaning of the term incense [ketoret]? It means an item that produces smoke [koter] and rises.

אָמַר רַב חֲנַנְיָ בַר בִּזְנָא אָמַר רַבִּי שְׁמַעוֹן
חֲסִידָא: כָּל תַּעֲנִית שְׂאִין בָּהּ מִפּוֹשְׁעֵי
יִשְׂרָאֵל אֵינָה תַעֲנִית, שְׁהֲרֵי חִלְבָנָה
רִיחָה רַע, וּמִנְאָה הַכְּתוּב עִם סַמִּמֵּי
קְטֹרֶת. אַבְיֵי אָמַר, מַהֲכָא: "וְאֶגְדָּתוֹ עַל
אֶרֶץ סֻדָּה".

Rav Hana bar Bizna says that Rabbi Shimon Hasida says: Any fast that does not include the participation of some of the sinners of the Jewish people⁴ is not a fast, as the smell of galbanum is foul⁵ and yet the verse lists it with the ingredients of the incense. Abaye says that this is derived from here: "It is He Who builds His upper chambers in the heavens and has established His bundle on the earth" (Amos 9:6), i.e., when the people are united as a bundle, including their sinners, they are established upon the earth.

BACKGROUND

The smell of galbanum is foul – חִלְבָנָה רִיחָה רַע – Galbanum is a resin prepared from any of several species of plants of the Ferula genus, particularly from the Ferula galbaniflua, which grows in Syria and northward. This resin is occasionally used for medicinal purposes. The smell of the galbanum is unpleasant. Nevertheless, it is an essential ingredient of the incense. Similarly, ingredients that do not have a pleasant odor themselves are sometimes used in the manufacture of perfumes, in order to accentuate certain smells or for the way they blend with other components.



Ferula galbaniflua

To animals or vessels...to gentiles or to corpses – לְגוֹיִם וְלִמְתִים... לְבָהֳמָה וְכַלִּים: One who applies the anointing oil on an animal, or on a vessel, or on a gentile, or on a corpse is exempt, as stated in the *baraita* (Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 1:6).

To kings or to priests, etc. – לְמַלְכִים וְלִכֹּהֲנִים וְכוּ': One who places anointing oil on the head (Radbaz) of a king or High Priest who has already been anointed is exempt. By contrast, one who intentionally applies an olive-bulk of the anointing oil to his skin is liable to receive *karet*. The *halakha* is in accordance with the opinion of Rabbi Yehuda. Some maintain that one who applies any amount of oil is liable (Ra'avad), but the Rambam apparently maintains that since it is stated that placing applies only with regard to an olive-bulk, the *halakha* of applying is derived from that of placing (Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 1:10, and see *Kesef Mishne* and Mahari Kurkus there).

NOTES

And how much oil must one apply to his skin and be liable – וְכַמָּה יִסְוֶה וְיִהְיֶה חַיִּב: The *Be'er Sheva* notes that the wording of the Gemara is not precise, as it seems from the continuation of the discussion that the dispute is only with regard to placing the anointing oil on someone, not applying it to the skin. He suggests that the text of the Gemara should be emended so that it reads: And how much oil must one place and be liable (see also Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 1:5, 10 and *Kesef Mishne* there).

So too the act of placing – אָף נְתִיבָה: It is clear in the Gemara that applying the oil, *sikha* in Hebrew, is a separate act from placing the oil, *netina* in Hebrew. Yet the Gemara does not define these two terms. The *Arukh LaNer* suggests that applying the oil means one puts the oil on his skin and then rubs it, while placing the oil means that he merely pours the oil on his skin but does not rub it into his body. He notes that there is a difficulty with the mishna, as the punishment of *karet* is stated in the verse in the context of placing the oil, while the mishna on 2a writes that one is punished with *karet* for applying the oil.

וְיִסְוֶה בְּשֶׁמֶן הַמִּשְׁחָה. תְּנוּ רַבָּנִן: הֲסֵךְ בְּשֶׁמֶן הַמִּשְׁחָה לְבָהֳמָה וְכַלִּים – פֶּטוּר, לְגוֹיִם וְלִמְתִים – פֶּטוּר. בְּשֶׁלְמָא בְהִמָּה וְכַלִּים – דְּכִתְיִב: "עַל בֶּשֶׂר אָדָם לֹא יִסְוֶה", וְבִהִמָּה וְכַלִּים לֹא אָדָם הוּא; מִתִּים נִמְי פֶּטוּר, דְּכִינֵן דְּמִית לִיה – מֵת מִיִּקְרִי וְלֹא אָדָם. אֲלֵא גוֹיִם אֲמַאי פֶּטוּר? הֲאָ אָדָם נִינְהוּ!

לְאִי, דְּכִתְיִב: "וְאַתֶּן צֹאנִי צֹאן מִרְעִיתִי אָדָם אֲתֶם" – אֲתֶם קְרוּיִן "אָדָם", וְאִין הַגּוֹיִם קְרוּיִן "אָדָם".

וְהִכְתִּיב: "וְנִפְשׁ אָדָם שִׁשָּׁה עָשָׂר אֶלֶף!" אֲמַר לִיה: הֲהוּא לְאַפְוִקֵי בְהִמָּה.

וְהִכְתִּיב: "וְאִנִּי לֹא אֲחֹס עַל נִינְהוּ" וְגוּ! הֲהוּא לְאַפְוִקֵי בְהִמָּה.

וְאִיבְעִית אִימָא, כְּדִקְתָּנִי תִנָּא קָמִיה דְּרַבִּי אֶלְעָזָר: כֵּל שְׂנִישְׁנוּ בְּסֶךְ – יִשְׁנוּ בְּבַל יִסְוֶה, וְכֵל שְׂאִינוּ בְּסֶךְ – אִינוּ בְּבַל יִסְוֶה.

תְּנִינָא אִידָךְ: הֲסֵךְ בְּשֶׁמֶן הַמִּשְׁחָה לְבָהֳמָה וְכַלִּים, לְגוֹיִם וְלִמְתִים – פֶּטוּר, לְמַלְכִים וְלִכֹּהֲנִים – רַבִּי מֵאִיר מְחַיִּב, וְרַבִּי יְהוּדָה פּוֹטֵר. וְכַמָּה יִסְוֶה וְיִהְיֶה חַיִּב? רַבִּי מֵאִיר אָמַר: כֵּל שֶׁהוּא, רַבִּי יְהוּדָה אָמַר: כּוֹתֵת. וְהָאֲמַר רַבִּי יְהוּדָה: פֶּטוּר! כִּי פֶטֶר רַבִּי יְהוּדָה – גְּבִי מַלְכִים וְכֹהֲנִים, גְּבִי הִדְיוּט מְחַיִּב.

רַבִּי מֵאִיר וְרַבִּי יְהוּדָה בְּמַאי פְּלִגִּי? אֲמַר רַב יוֹסֵף: בְּהָא פְּלִגִּי, רַבִּי מֵאִיר סָבַר: "עַל בֶּשֶׂר אָדָם לֹא יִסְוֶה" כְּתִיב, וְכִתְיִב: "וְאִשׁוּר יִתֵּן מִמֶּנּוּ עַל זָר", מַה סִּיכָה כֵּל שֶׁהוּא – אָף נְתִיבָה כֵּל שֶׁהוּא.

The mishna includes in its list of those liable to receive *karet*: **And one who applies the anointing oil to his skin. The Sages taught in a baraita: One who applies the anointing oil to animals or vessels is exempt, and one who applies it to gentiles or to corpses^h is exempt.** The Gemara objects: **Granted, one is exempt in the case of animals and vessels, as it is written: "Upon the flesh of a person it shall not be applied"** (Exodus 30:32), **and animals and vessels are not the flesh of a person. It is also clear why one is exempt if he applies it to a corpse, as once someone has died, the body is called a corpse and not a person. But if one applies anointing oil to gentiles why is he exempt? Aren't they included in the meaning of the term person [adam]?**

The Gemara explains: **Indeed they are not. As it is written: "And you My sheep, the sheep of My pasture, are people [adam]"** (Ezekiel 34:31), from which it is derived that you, the Jewish people, are called *adam*, but gentiles are not called *adam*.

The Gemara raises an objection based on a verse discussing captives taken during the war against Midian. **But isn't it written: "And the people [nefesh adam] were sixteen thousand"** (Numbers 31:40). This indicates that gentiles are also referred to as *adam*. The Sage who was asked this said to the questioner: **That term serves to exclude, i.e., to distinguish between the people who were taken captive and the animals that were taken as spoils of war, which are also mentioned in that verse.**

The Gemara raises another difficulty: **But isn't it written: "And should I not have pity on Nineveh, that great city, wherein are more than one hundred and twenty thousand people [adam] who cannot discern between their right hand and their left hand, and also much cattle"** (Jonah 4:11). The inhabitants of Nineveh were gentiles. The Gemara answers: **That term serves to exclude them from the animals mentioned in the verse.**

And if you wish, say instead a different reason why one who applies anointing oil to gentiles is exempt. This is as a tanna teaches before Rabbi Elazar: Anyone included in the obligation not to apply anointing oil to himself or others is likewise included as subject to the prohibition of: It shall not be applied, i.e., it is prohibited to apply the oil to him. And anyone not included in the obligation not to apply anointing oil to himself or others is not included as the object of: It shall not be applied. Only Jews are included in the prohibition against applying the anointing oil.

It is taught in another *baraita*: **One who applies the anointing oil to animals or vessels, or to gentiles or on corpses, is exempt.** If one applies the anointing oil to kings or to priestsⁿ after they had already been anointed, Rabbi Meir deems him liable and Rabbi Yehuda deems him exempt. **And how much oil must one apply to his skin and be liable?**ⁿ Rabbi Meir says: **Any amount.** Rabbi Yehuda says: **An olive-bulk.** The Gemara raises a difficulty: **But doesn't Rabbi Yehuda say that he is entirely exempt?** The Gemara answers: **When Rabbi Yehuda deems him exempt that is with regard to applying oil to kings and priests, whereas in the case of an ordinary person Rabbi Yehuda deems him liable.**

The Gemara asks: **Concerning what matter do Rabbi Meir and Rabbi Yehuda disagree?** Rav Yosef says that they disagree concerning this issue: **Rabbi Meir holds that this halakha is based on the fact that it is written: "Upon the flesh of a person it shall not be applied"** (Exodus 30:32), **and it is written: "Or whoever places any of it upon a stranger, he shall be cut off from his people"** (Exodus 30:33). The wording of the prohibition teaches with regard to the liability to receive *karet*: **Just as the act of applying the oil to the skin prohibited by the verse refers to the application of any amount, as there is no specific measure stated in this regard, so too, the act of placingⁿ the oil mentioned with regard to *karet* refers to any amount.**

ורבי יהודה סבר: ילפינן נתינה דעל זר
מנתינה דעלמא. מה נתינה דעלמא
בזית – אף נתינה דעל זר בזית; אבל
סיכה למימשח מלכים וכהנים – דברי
הכל כל שהוא.

And Rabbi Yehuda holds: We derive the *halakha* of placing [*netina*] that is stated here, which is upon a stranger, i.e., one upon whom there is no mitzva to place the anointing oil, from the *halakha* of giving [*netina*] in general. Just as giving in general is with the amount of an olive-bulk, so too, placing anointing oil upon a stranger is with the amount of an olive-bulk. The principle that giving [*netina*] in general is with the amount of an olive-bulk is derived from the verse: “And if a man eats a sacred thing in error then he shall add a fifth part in addition to it, and shall give [*venatan*] to the priest the sacred item” (Leviticus 22:14). This verse is referring to an item given for eating, and the minimum amount that must be consumed for an act to be considered eating is an olive-bulk. Rav Yosef adds: But with regard to the mitzva of applying the oil in order to anoint kings and priests, everyone agrees it is accomplished with any amount.

ואמר רב יוסף: במאי פליגי רבי מאיר
ורבי יהודה גבי מלכים וכהנים? רבי
מאיר סבר: “ואשר יתן ממנו על זר”
כתיב, ומלך וכהן השתא זרים נגיהו.
ורבי יהודה סבר: בעינן עד דאיכא
זר מתחלתו ועד סופו, ומלך וכהן
מעיקרא לאו זרים הוו.

And Rav Yosef further says: With regard to what matter do Rabbi Meir and Rabbi Yehuda disagree in the case of kings and priests who had already been anointed? Rabbi Meir holds that since it is written: “Or whoever puts any of it upon a stranger,” and right now the king and priest are strangers because the mitzva to anoint them no longer applies, they are included in the prohibition. And Rabbi Yehuda holds: For the purposes of this prohibition we require that the individual in question be a stranger from his beginning to his end, and the king and priest were initially not strangers.

אמר רב איקא בריה דרב אמאי ואודו
לטעמייהו, דתניא:

Rav Ika, son of Rav Ami, said: And Rabbi Meir and Rabbi Yehuda both follow their lines of reasoning, as it is taught in a mishna (*Terumot* 7:2):

Perek I
Daf 7 Amud a

בת בהן שנישאת לישראל ואכלה
בתרומה – משלמת את הקרן ואינה
משלמת את החומש, ומיתתה
בשריפה;

With regard to the daughter of a priest who married an Israelite^H and then unwittingly partook of *teruma*,^B she pays the principal, as a thief would, as she partook of *teruma* to which she owns no rights. But she does not pay the additional one-fifth payment, which is the fine paid by an Israelite who partakes of *teruma* unwittingly (see Leviticus 22:14). This is because she is not completely disqualified from the priesthood, since if she becomes widowed or divorced without having borne children she will again be permitted to partake of *teruma*. And if she commits adultery her death penalty is administered by burning, as is the *halakha* with regard to the daughter of a priest (see Leviticus 21:9).

ניסת לאחד מן הפסולין – משלמת
קרן וחומש, ומיתתה בחרק, דברי
רבי מאיר.

By contrast, if she married one of those who are unfit for her to marry due to his lineage, thereby disqualifying herself from the priesthood for the future, she pays the principal and the additional one-fifth payment, and her death is by strangulation, as is the *halakha* with regard to Israelite women. This is the statement of Rabbi Meir.

וחכמים אומרים: אחת זו ואחת
זו משלמת הקרן ואינה משלמת
החומש, ומיתתה בשריפה.

And the Rabbis say: In both this case and that case, whether she was married to an Israelite or to one unfit for her to marry, she pays the principal but she does not pay the additional one-fifth payment, and her death is by burning, as she previously had the status of a daughter of the priesthood. This opinion of the Rabbis is presumably that of Rabbi Yehuda, who is usually the disputant of Rabbi Meir. As explained with regard to the anointing of a king, Rabbi Yehuda requires that the individual in question must have the status of a stranger, i.e., not a High Priest or a king, from beginning to end.

HALAKHA

The daughter of a priest who married an Israelite – בת בהן שנישאת לישראל: If the daughter of a priest is married to an Israelite, or is disqualified from partaking of *teruma* due to forbidden sexual intercourse, and she partook of *teruma*, she is liable to pay the principal but not the additional one-fifth payment. If she committed adultery she is liable to be put to death by burning, whether her husband was an Israelite or a priest, or even a *mamzer*, a Gibeonite, or a man to whom she is forbidden by a prohibition. The *halakha* is in accordance with the opinion of the Rabbis (Rambam *Sefer Zera'im, Hilkhot Terumot* 10:12 and *Sefer Kedusha, Hilkhot Issurei Bia* 3:3).

BACKGROUND

Partook of *teruma* – אכלה בתרומה: *Teruma* may be consumed only by a priest and the members of his household. These include his wife, his sons, his unmarried daughters, his non-Jewish slaves, and his animals. When the daughter of a priest marries an Israelite or a Levite she may no longer partake of *teruma*. In the event that she becomes widowed or divorced from him, she returns to her father's house and she may continue to partake of *teruma* in certain circumstances. If the one she married is forbidden to her, she falls into the halakhic category of a *zona* and will never be permitted to partake of *teruma* again (see Rambam *Sefer Zera'im, Hilkhot Terumot* 6:7).

בָּתָן – A High Priest who took from the anointing oil, etc. – **בָּתָן** – גדול שנטל משמן המשחה וכו' from the anointing oil that was placed upon his head for the purpose of anointing him and placed it on his stomach, he is liable to receive *karet*. The Ra'avad maintains he is liable regardless of the amount used (Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 1:10, and see *Kesef Mishne* and Radbaz there).

מתעגל בו וכו' – May rub against, etc. – If a priest applied *teruma* oil to himself, the Israelite son of his daughter or any other Israelite may then rub himself upon the oil (Rambam *Sefer Zera'im, Hilkhot Terumat* 11:8 and *Kesef Mishne* there).

אמר רב יוסף: מחלוקת – בנתינת שמן המשחה ובשינויי דשמינו, אבל נתינה דעלמא – דברי הכל בוצת.

גופא: תני תנא קמיה דרבי אלעזר: כל שישנו בסך – ישנו בבל ייסק, וכל שאינו בסך – אינו בבל ייסק. אמר ליה: שפיר קאמרתי, "לא ייסק" כתיב, וקרי ביה: "לא ייסק".

תני רב חנניה קמיה דרבא: מנן לכהן גדול שנטל משמן המשחה שעל ראשו ונתן על בני מעיו, מנן שהוא חייב? שנאמר: "על בשר אדם לא ייסק". אמר ליה רב אחא בריה דרבא לרב אשי, מאי שנא מהא דתנא: כהן שסך בשמן של תרומה, בן בתו ישראל מתעגל בו ואינו חושש?

אמר ליה: התם "ומתו בו כי יחללוהו" כתיב, כיון דחלליה – הא איתחיל; אבל גבי שמן המשחה כתיב: "כי נור גו' אלהיו עליו" – שמן משחה קרייה רחמנא, דאף על גב דאיתא עליו לא איתחיל.

Rav Yosef said the dispute between Rabbi Meir and Rabbi Yehuda applies to the placing of the anointing oil, and it is explained by those answers that we answered earlier, that according to Rabbi Meir one is liable for the placing of any amount, as the verse uses an expression of applying, whereas according to Rabbi Yehuda one is liable only if one places oil that is the volume of an olive-bulk. But with regard to placing in general, e.g., the prohibition not to place frankincense on the meal offering of a sinner (see Leviticus 5:11), everyone agrees one is liable for placing only the volume of an olive-bulk.

The Gemara discusses the matter itself: A *tanna* teaches a *baraita* before Rabbi Elazar: Anyone included in the obligation not to apply anointing oil to himself or others is likewise included as the object of: It shall not be applied, i.e., it is prohibited to apply the oil to him. And anyone not included in the obligation not to apply anointing oil to himself or others is not included as the object of: It shall not be applied. Rabbi Elazar said to that *tanna*: You are saying well, as it is written: "Upon the flesh of a person it shall not be applied [*lo yasakh*]" (Exodus 30:32), and you read into the verse: *Lo yasikh*, he shall not apply it to others. This dual reading indicates that one who is commanded not to apply the oil is the same as the one upon whom it is prohibited to apply the oil, as stated by the *tanna*.

Rav Hananya taught a halakha before Rava: From where is it derived with regard to a High Priest who took from the anointing oil^h that is on his head and placed it on his stomach; from where is it derived that he is liable? It is derived from a verse, as it is stated: "Upon the flesh of a person it shall not be applied" (Exodus 30:32). Rav Aha, son of Rava, said to Rav Ashi: What is different between this case and that which is taught in a *baraita*: In the case of a priest who applied *teruma* oil to himself, the Israelite son of his daughter may rub against [*mitaggel*]^{hl} this oil without concern that he might be deriving benefit from *teruma*?

Rav Ashi said to him: There, with regard to *teruma* oil, it is written: "They will die through it if they profane it" (Leviticus 22:9), and since the priest has already profaned the oil^l by using it, it is considered profaned. But with regard to the anointing oil it is written: "For the consecration of the anointing oil of His God is upon him" (Leviticus 21:12). The Merciful One calls it anointing oil even at this stage, to teach that even though it is upon the High Priest it is not considered profaned, and instead remains sacred.

LANGUAGE

מתעגל – *mitaggel*: The term *mitaggel* is used by the Sages in reference to applying a substance not by means of one's hands but by transfer from one body to another, typically through rounded [*ma'agaliyot*] movements. When one wished to apply a substance to his back, he would pour oil on some

sort of surface, generally marble or a leather mattress, and rub against it. Alternatively, he would pour the oil on his body and then rub himself against the surface (see *Tosefta, Terumat* 10:10 and *Tosefta, Shevi'it* 4:9).

NOTES

כיון דחלליה – Since the priest has already profaned the oil – Rashi explains: Since the priest has already used the oil, it is considered nullified and is no longer an item from which deriving benefit is prohibited, similar to an offering whose mitzva has been performed (see also *Minhat Hinnukh* 108). Others explain that the Gemara is referring to a priest who applied *teruma* oil on his daughter's Israelite son, which is prohibited, and it is only for that reason that the son may rub himself against it. By contrast, the oil was not placed on the High Priest in a

prohibited manner, and therefore if the High Priest applies it to his stomach he is liable (Rabbeinu Gershom Meor HaGola).

Some claim that an Israelite may rub against the *teruma* oil in this case because the prohibition against applying *teruma* oil is by rabbinic law (*Tosafot* on *Yoma* 77a, citing Rabbeinu Tam). Others contend that the reason the Israelite may rub against the *teruma* oil is because the oil has been rendered repulsive and unfit for use (*Tosafot Yeshanim* on *Yoma* 81a; see Rabbeinu Haiyim HaKohen there).

”על אלו חייבין על דונו“ כו. קתני: חוץ ממטמא מקדש וקדשו. ממאי מפיק ליה? הכי קתני: חוץ ממטמא מקדש וקדשו שאין מביא אשם תלוי.

S The mishna teaches: For any of these prohibitions, one is liable to receive *karet* for its intentional violation and to bring a sin offering for its unwitting violation. And for violation in a case where it is unknown to him whether he transgressed, he is liable to bring a provisional guilt offering. The Gemara notes that the mishna further teaches: This is the *halakha* for all the transgressions listed above except for one who defiles the Temple, i.e., he enters the Temple while ritually impure or renders its consecrated items ritually impure.⁸ The Gemara asks: From what *halakha* does the *tanna* exclude these cases? After all, one who enters the Temple while impure or renders its consecrated items impure is also liable to receive *karet*. The Gemara answers: This is what the mishna is teaching: Except for one who defiles the Temple or renders its consecrated items ritually impure, as he does not bring a provisional guilt offering.⁹

וניתני נמי: חוץ ממני שעבר עליו יום הכיפורים, שאין מביא אשם תלוי! אמר ריש לקיש: בני קתני – היכא דאיתיה להטאת ורחמנא פטריה; עבר עליו יום הכיפורים – ליתיה להטאת, דקא כפר ליה.

The Gemara suggests: And let the mishna also teach: Except for one who sinned and Yom Kippur passed,¹⁰ as he too does not bring a provisional guilt offering. Reish Lakish said: When the *tanna* teaches these exceptions he is referring to those cases where there is a sin and nevertheless the Merciful One exempts him from bringing a provisional guilt offering. By contrast, in a case where Yom Kippur passed, there is no remaining sin, as Yom Kippur atoned for him, i.e., for his sin.

רבי יוחנן אמר: במבעט, דקאמר: אין יום הכיפורים מכפר, דאי הדר ביה בתר יום הכיפורים, בעי לאיתווי אשם תלוי. וריש לקיש סבר: מבעט נמי מכפר עליה יום הכיפורים.

Rabbi Yohanan said: The mishna is referring to one who rejects the atonement of Yom Kippur,¹¹ who says: Yom Kippur does not atone for one's sins. In this situation Yom Kippur does not atone for him, which means that if he retracted from his sinful ways after Yom Kippur he is required to bring a provisional guilt offering. Therefore, it cannot be listed in the exceptions stated in the mishna. The Gemara notes: And Reish Lakish does not explain the mishna in this manner, as he maintains that even with regard to one who rejects its atonement, Yom Kippur atones for his sins.

ובפלוגתא, האומר: לא יתכפר לי חטאתי – אביי אמר: אינה מכפרת, רבא אמר: מכפרת. היכא דאמר לא תיקרב – דכולי עלמא לא פליגי דלא מכפרת, דכתיב: ויקריב אותו לרצנו, כי פליגי – דאמר: תיקרב ולא תכפר, אביי אמר: אין מכפרת – דהא אמר לא תכפר, רבא אמר: מכפרת, בין דאמר תיקרב – כפרה ממילא אתי.

The Gemara notes: And their dispute is with regard to the issue that is the subject of the dispute between later *amora'im*: Concerning one who says: My sin offering, which is sacrificed for me, should not atone for me,¹² Abaye said: This sin offering does not atone for him. Rava said: It atones for him. The Gemara explains: In a case where he said: I do not want it to be sacrificed,¹³ everyone agrees that it does not atone for him, as it is written: “He shall bring it in accordance with his will” (Leviticus 1:3), which indicates that if the offering is brought against his will it is not effective. Where they disagree is when he says: The sin offering should be sacrificed but it should not atone for me. Abaye said: It does not atone for him, as he said that it should not atone for him. Rava said: It does atone for him, as once he says it should be sacrificed, the atonement comes by itself.

והדר ביה רבא, בדתנאי: יכול יהא יום הכיפורים מכפר על שבין ועל שאין שבין? ודין הוא, ומה חטאת ואשם מכפרין, ויום הכיפורים מכפר, מה חטאת ואשם אין מכפרין אלא על השבין – אף יום הכיפורים אין מכפר אלא על השבין!

The Gemara notes: And Rava retracted his opinion, as it is taught in a *baraita*: One might have thought that Yom Kippur atones for those who repent and for those who do not repent. The *baraita* elaborates: And there is a logical inference to negate this assertion: Just as a sin offering and a guilt offering atone, and likewise Yom Kippur atones, just as a sin offering and a guilt offering atone only for those who repent, so too, Yom Kippur atones only for those who repent.¹⁴

Except for one who defiles the Temple or renders its consecrated items ritually impure, etc. – חוץ ממטמא – מקדש וקדשו רבו: One who unwittingly renders the Temple or its consecrated items ritually impure must bring a sliding-scale offering. Consequently, if he is uncertain whether he entered the Temple or ate consecrated food in a state of ritual impurity he does not bring a provisional guilt offering. This follows the principle that one does not bring a fixed sin offering for a transgression for which one does not bring a provisional guilt offering upon its uncertain violation (Rambam *Sefer Korbanot, Hilkhot Shegagot* 1:3).

One who sinned and Yom Kippur passed – עליו יום הכיפורים: If one was obligated to bring a provisional guilt offering for an uncertain sin and Yom Kippur passed before he sacrificed the offering, he is exempt from bringing it, as Yom Kippur atones for his sins. See the mishna on 25a (Rambam *Sefer Korbanot, Hilkhot Shegagot* 3:9).

One who rejects the atonement of Yom Kippur – מבעט: With regard to one who rejects Yom Kippur, i.e., he believes it does not atone for his sins, Yom Kippur does not atone for him. Therefore, if he was obligated to bring a provisional guilt offering and Yom Kippur passed while he rejected its import, the day does not atone for him, and when he repents after Yom Kippur he must sacrifice the provisional guilt offering. The *halakha* is in accordance with the opinion of Rabbi Yohanan (Rambam *Sefer Korbanot, Hilkhot Shegagot* 3:10, and see *Sefer HaMadda, Hilkhot Teshuva* 1:3; *Shulhan Arukh, Orah Hayyim* 607:6, and in the comment of Rema).

One who says, my sin offering should not atone for me – האומר לא יתכפר לי חטאתי: A sin offering and guilt offering atone only for those who repent and believe in their atonement. They do not atone for one who rejects it. How so? If one brings a sin offering or guilt offering and says or thinks it does not atone, even if it was properly sacrificed he has not achieved atonement. When he repents from this rejection he must bring his sin offering or guilt offering again (Rambam *Sefer Korbanot, Hilkhot Shegagot* 3:10).

אמר לא – האומר לא יתכפר לי חטאתי: In a case where one says: I am responsible for the sin offering or guilt offering of so-and-so, if the latter agrees then the first individual sacrifices the offerings and the one who was obligated thereby achieves atonement. If he does not agree then the offering does not atone for him. This is based on the Gemara in *Arakhin* 21b (Rambam *Sefer Avoda, Hilkhot Ma'aseh HaKorbanot* 14:10).

Only for those who repent – אלא על השבין: With regard to those who bring a sin offering or a guilt offering for their intentional or unwitting transgression, they achieve atonement only if they repent and confess. Likewise, Yom Kippur atones only for those who repent and confess. The *halakha* is not in accordance with the opinion of Rabbi Yehuda HaNasi (Rambam *Sefer HaMadda, Hilkhot Teshuva* 1:1, and see *Kesef Mishne* there; *Shulhan Arukh, Orah Hayyim* 607:6, and in the comment of Rema).

BACKGROUND

Provisional guilt offering – אשם תלוי: The provisional guilt offering is mentioned in the Torah (Leviticus 5:17–19). The Torah itself does not specify the transgression for which one is liable to bring this offering. It is a tradition of the Sages that a provisional guilt offering is brought for an uncertain sin whose definite performance renders the unwitting sinner liable to bring a fixed sin

offering. As long as it remains unknown whether or not one committed the transgression, he must bring a provisional guilt offering. If it subsequently became known to him that he definitely sinned, at this stage he brings a sin offering. The details of this offering are discussed later in this tractate.

לא, אם אמרת בחטאת ואשם – שאין מכפרין על המזיד שזגג, תאמר ביום הכפורים – שמכפר על המזיד כשזגג; והואיל ומכפר על המזיד כשזגג – מכפר על שבין ועל שאין שבין! תלמוד לומר: “אך” – חלק.

The *baraita* rejects this opinion: **No, if you said this is the *halakha* with regard to a sin offering and a guilt offering, which do not atone for intentional sins as they do for unwitting sins, shall you also say that this is the *halakha* with regard to Yom Kippur, which does atone for intentional sins as it does for unwitting sins?** Yom Kippur effects atonement even in cases where offerings do not. **And since it is the case that the atonement of Yom Kippur is far-reaching in that it atones for intentional sins as it does for unwitting sins, it follows that it may atone both for those who repent and for those who do not repent.** To dispel this notion, the verse states: “**Yet on the tenth day of this month it is Yom Kippur**” (Leviticus 23:27). By means of the word “yet,” the verse **divided** and limited the atonement of Yom Kippur so that it atones only for those who repent. This concludes the *baraita*.

מאי “שבין” ו“שאיין שבין”? אלימא “שבין” – שזגג, “לא שבין” – מזיד, הא קתני: לא, אם אמרת בחטאת ואשם כו’!

The Gemara analyzes this *baraita*. **What is the meaning of: Those who repent and those who do not repent? Shall we say those who repent are those whose transgressions were unwitting, whereas those who do not repent are those whose transgressions were intentional?** This cannot be the case, as the *baraita* teaches: **No, if you said this is the *halakha* with regard to a sin offering and a guilt offering, which do not atone for intentional sins as they do for unwitting sins.** Since the *baraita* is referring to the concepts of intentional and unwitting sins in this clause, the categories of those who repent and do not repent must have another meaning.

אלא כי הא דעולא אמר רבי יוחנן: אכל חלב והפריש קרבן, ונשתמד וחרו בו – הואיל ונדהה ידחה;

Rather, the category of those who do not repent is **like that which Ulla says that Rabbi Yohanan says: If one unwittingly ate forbidden fat and separated an offering for this sin, and became an apostate⁴ and subsequently retracted his apostasy, nevertheless, since the offering was rejected from being sacrificed while he was an apostate, it shall remain rejected.** Accordingly, the *baraita* is suggesting that the same applies to one who became an apostate and Yom Kippur passed: Even if he retracts his apostasy, the following Yom Kippur should not atone for his transgression.

נהי דאידיחי קרבן, גברא בר כפרה הוא! אלא “שבין” – דאמר: יכפר עלי חטאתי, “שאיין שבין” – דאמר: לא תכפר עלי חטאתי, שמע מינה.

The Gemara rejects this interpretation: **Granted, the offering is rejected from the altar, and therefore it cannot be sacrificed at a later stage. But the man himself is fit for atonement, and he can bring another sin offering.** The Gemara suggests another interpretation of the *baraita*: **Rather, it must be that the category of those who repent is referring to one who says: My sin offering should atone for me, and the category of those who do not repent is referring to one who says: My sin offering should not atone for me.** The Gemara comments: **Conclude from the *baraita* that a sin offering does not atone for one who states beforehand: My sin offering should not atone for me, in contradiction of the earlier statement of Rava.** Since Rava was aware of this *baraita*, he must have retracted his opinion.

HALAKHA

אכל – Ate forbidden fat...and became an apostate, etc. – תלבו...ונשתמד וכו' חלב. If one sinned unwittingly and set aside his sin offering, and then became an apostate before repenting, the same animal can be sacrificed as his sin offering when he repents. The reason is that animals are not rejected from being sacrificed, and just as in a case where the animal developed a temporary blemish and once healed was rendered fit again,

the same applies if the owner was disqualified from bringing an offering and subsequently became fit again. The *halakha* is not in accordance with the opinion of Rabbi Yohanan but in accordance with the opinion of Rav, who maintains that living animals are not permanently rejected (Rambam *Sefer Korbanot, Hilkhot Shegagot* 3:8, and see *Lehem Mishne* and *Kesef Mishne* there).

Declared it a holy convocation – קראו מקרא – קודש קודש: This means he sanctified the day in his prayers by reciting the formula: He Who sanctifies the Jewish people and Yom Kippur (Rashi). Others explain he sanctified the day by wearing clean garments (*Tosafot*, based on *Shabbat* 119a). Alternatively, he refrained from performing labor due to the sanctity of the day, whereas the reference to one who did not declare it a holy convocation means he refrained from performing labor merely due to laziness (*Tosafot* on *Shevuot* 13a, citing Rabbi Yehuda HaNasi Tam). Yet others explain that one who did not declare it a holy convocation means he disputed the determination of the court with regard to the date of Yom Kippur (*Shita Mekubbetzet*).

ורמניה: יכול לא יהא יום הכפורים מכפר אלא על שנתענה בו ולא עשה בו מלאכה וקראו מקרא קודש; לא נתענה בו ועשה בו מלאכה, ולא קראו מקרא קודש, יכול לא יהא יום כיפורים מכפר? תלמוד לומר: "יום הכפורים הוא", מכל מקום. ותרוייהו קתם סיפרא הוא, קשיין אהדדי!

The Gemara continues its analysis of this *baraita* by comparing it to another *baraita*. And the Sages raise a contradiction: One might have thought that Yom Kippur shall atone only for one who fasted on it and did not perform labor on it and declared it a holy convocation.⁸ With regard to one who did not fast on it, or performed labor on it, or did not declare it a holy convocation, one might have thought that Yom Kippur shall not atone for him. To counter this the verse states: "Yet on the tenth day of this seventh month it is Yom Kippur" (Leviticus 23:27); the additional emphasis of "it is" serves to teach that the day atones in any case. The ruling of this *baraita* disputes the one cited earlier, which states that Yom Kippur atones only for those who repent, and both are unattributed *baraitot* in the *Sifra*.⁹ They are difficult, as they contradict each other.

אמר אביי, לא קשיא: הא רבי אליבא דרבי יהודה, הא רבי אליבא דרביה. דתניא, רבי אומר: כל עבירות שבתורה, בין עשה תשובה ובין לא עשה תשובה – יום הכפורים מכפר.

Abaye said: This is not difficult. This first *baraita* is the opinion of Rabbi Yehuda HaNasi in accordance with the opinion of Rabbi Yehuda, and that second *baraita* is the opinion of Rabbi Yehuda HaNasi in accordance with his own opinion. As it is taught in a *baraita* that Rabbi Yehuda HaNasi says: For all transgressions that are stated in the Torah, whether one repented or whether one did not repent, Yom Kippur atones.

חזן מפורק עול, ומגלה פנים בתורה, ומפר ברית בשר, שאם עשה תשובה – יום הכפורים מכפר, ואם לאו – אין יום הכפורים מכפר.

Rabbi Yehuda HaNasi continues: This is the *halakha* except for one who divests himself of the yoke of God, by denying His existence, and one who impudently reveals facets of the Torah in a manner that departs from their true meaning, and one who nullifies the covenant of the flesh, i.e., circumcision. With regard to these, if one repented, Yom Kippur atones, and if not, Yom Kippur does not atone. This indicates that according to the opinion of Rabbi Yehuda HaNasi, Yom Kippur atones even if one did not repent.

רבא אמר: הא והא רבי אליבא דנפשיה, ומודה רבי בעבירות דיום הכפורים גמיה, דלא מכפר. דאי לא תימא הכי, פרת דיום הכפורים, לרבי, כיון דבבל שעתא ושעתא מכפר, היכי משפחת לה?

Rava said: Both this *baraita* and that *baraita* are the opinion of Rabbi Yehuda HaNasi in accordance with his own opinion, that Yom Kippur atones even for those who do not repent, but even Rabbi Yehuda HaNasi concedes that with regard to the transgressions of violating Yom Kippur itself, e.g., if one ate or performed labor on Yom Kippur, that Yom Kippur does not atone for those transgressions. He must necessarily concede this point, as if you do not say so, then according to Rabbi Yehuda HaNasi, with regard to the punishment of *karet* for transgressing the prohibitions of Yom Kippur, since each and every hour of the day atones for one's sins, how can you find the application of *karet* in this case?

ומאי קושיא? דילמא דעבד עבידתא כולי ליליא ובהדי עמוד השחר מית, דלא הוה יממא דלכפר ליה! תינח פרת דליליא, כרת דיממא היכי משפחת לה?

The Gemara questions this proof: And what is the difficulty? Perhaps you find a case where he performed labor the entire night of Yom Kippur and died at dawn, as in such a case there was no daytime of Yom Kippur, which is the part of Yom Kippur that effects atonement, to atone for him. The Gemara asks: That works out well with regard to the punishment of *karet* for transgressing at night; but with regard to *karet* for transgressing at daytime, how can you find these circumstances, i.e., how can he be liable to receive *karet* for transgressing in the day?

ומאי קושיא? דילמא בהדי דקאכל נהמא הנקתיה אומצא, דלא הוה ליה שהות ביממא דלכפר ליה; אי נמי, דעבד עבידתיה סמוך לשקיעת החמה; אי נמי, בהדי דעביד עבידתיה פסקיה מרא לשקיה ומית, דלא הוה ליה שהות ביממא דלכפר ליה.

The Gemara responds: And what is the difficulty? Perhaps while eating bread he choked on a chunk of meat he ate with it, and died, as there was not enough time in the day after his transgression to atone for him. Alternatively, it is referring to a case where he performed labor close to sunset; alternatively, it is referring to a case where as he was performing labor, the hoe with which he was working cut his thigh and he died, as in these cases too there was no time in the day after his transgression to atone for him, either because it was no longer Yom Kippur or because he died immediately.

BACKGROUND

Sifra – סיפרא: The *Sifra* is a halakhic midrash on the book of Leviticus. Also called *Torat Kohanim*, it is a tannaitic interpretation whose authorship, or more specifically editorship, is uncertain. It has traditionally been ascribed to Rav, which explains another title for this work: The *Sifra* of the School of Rav. Rav also taught this halakhic

midrash extensively, and its study became standard among the Sages to the extent that it is the most frequently cited work of halakhic midrash in the Talmud. The material in the *Sifra* apparently reflects the rulings of the school of Rabbi Akiva. Anonymous opinions in this work are attributed to Rabbi Yehuda bar Ilai.

Perek I
Daf 7 Amud b

HALAKHA

One who blasphemes [*megaddef*] – מגדף: One who curses God while pronouncing one of His names that may not be erased is called a *megaddef* and is liable to receive *karet* (see Rambam *Sefer HaMadda, Hilkhot Avoda Zara* 2:7). If he did so unwittingly, he does not bring a sin offering because he did not perform an action. The *halakha* is in accordance with the opinion of the Rabbis. Furthermore, one who says that an object of idol worship is a god is considered a *megaddef* even if he did not worship it. Both a *megaddef* and an idol worshiper are liable to stoning and are then hanged, if there are witnesses and they were forewarned (Rambam *Sefer HaMadda, Hilkhot Avoda Zara* 2:6–7 and *Sefer Korbanot, Hilkhot Shegagot* 1:2).

”וְחַכְמֵי אֱמֻרִים: אִף הַמְגַדֵּף” כו'. מֵאֵי אִף הַמְגַדֵּף שְׂאִין בּוּ מַעֲשֵׂה?

רַבֵּנּוּ שָׁמְעוּ לְרַבִּי עֲקִיבָא דְתַנִּי בַעַל אוֹב וְלֹא תַנִּי יְדֻעוּנִי, אָמְרוּ לֵיהּ: מֵאֵי שָׁנֵא דְלֹא מִיֵּיתִי קֶרֶבֶן – מִשּׁוּם דְּלִית בֵּיהּ מַעֲשֵׂה, מְגַדֵּף נִמְי לִית בֵּיהּ מַעֲשֵׂה!

תַּנּוּ רַבֵּנּוּ: מְגַדֵּף מִבֵּיא קֶרֶבֶן, הוֹאִיל וְנֶאֱמַר בּוּ כֶּרֶת, דְּבָרֵי רַבִּי עֲקִיבָא, וְאֹמְרִי: ”וְנִשְׂא חֶטְאוֹ”. וְכִלְלָא הוּא, כֹּל הֵיכָא דְכֹתִיב בֵּיהּ כֶּרֶת מִיֵּיתִי קֶרֶבֶן? וְהָא פְּסַח וּמִילָה דְכֹתִיב בְּהוּ כֶּרֶת וְלֹא מִיֵּיתִי קֶרֶבֶן!

The mishna teaches: **And the Rabbis say:** The *halakha* is the same, i.e., there is no obligation to bring a sin offering, even with regard to the one who blasphemes, as it is stated with regard to the sin offering: “You shall have one law for him who performs the action unwittingly” (Numbers 15:29), excluding one who blasphemes, as he does not perform an action but sins with speech. The Gemara asks: **What caused the Rabbis to specify: Even one who blasphemes, as he does not perform an action? Why do the Rabbis mention this explanation?**

The Gemara explains: **The Rabbis heard that Rabbi Akiva teaches** in his list of those who must bring a sin offering a necromancer, and he does not teach a sorcerer in his list, and therefore they said to him: **What is different about a sorcerer that he does not bring an offering? It must be due to the fact that his transgression does not involve an action.** If so, with regard to the sin of one who blasphemes as well, it does not involve an action.

The Sages taught in a *baraita* (*Tosefta* 1:1): One who unwittingly blasphemes brings an offering, since *karet* is stated with regard to it. This is the statement of Rabbi Akiva. And the verse states: “Whoever curses his God shall bear his sin” (Leviticus 24:15), as the Gemara will explain. The Gemara asks: **And is it an established principle that wherever it is written *karet* with regard to a mitzva, one who violates it unwittingly brings an offering? But there is the case of the mitzva of the Paschal offering, and the mitzva of circumcision, as the punishment of *karet* is written for failing to perform them, and yet one does not bring an offering for failing to perform these mitzvot unwittingly.**

הֵכִי קֵאָמַר: מְגַדֵּף מִבֵּיא קֶרֶבֶן, הוֹאִיל וּבֵא בּוּ כֶּרֶת בְּמִקּוּם קֶרֶבֶן. דְּבָרֵי רַבִּי עֲקִיבָא; קֶסֶבֶר: מִיגוּ דְּבַעֵי מְכַתֵּב כֶּרֶת בְּעַלְמָא, וְכֹתִיב כֶּרֶת בְּמִקּוּם קֶרֶבֶן – שְׁמַע מִיָּנָה מִיֵּיתִי קֶרֶבֶן.

וְאֹמְרִי: ”חֶטְאוֹ יִשָּׂא” – אֵתָא לְרַבֵּנּוּ, וְהֵכִי קֵאָמַר רַבִּי עֲקִיבָא לְרַבֵּנּוּ: אֲמִרִיתוּ מְגַדֵּף לִית בֵּיהּ מַעֲשֵׂה, מַהוּ מְגַדֵּף – מְבַרֵךְ אֵת הַשֵּׁם, אֵלֹא כֶּרֶת דְּכֹתִיב לְמֵאֵי אֵתָא?

The Gemara answers that **this is what Rabbi Akiva is saying:** One who unwittingly blasphemes^h brings an offering, since its punishment of *karet* comes, i.e., is written, in a place where the Torah discusses an offering, i.e., *karet* is mentioned in a passage that discusses a sin offering (see Numbers 15:27–31). This is the statement of Rabbi Akiva, as he maintains: **Since the verse should have written *karet* in general, i.e., without connecting it to bringing an offering, and yet this *karet* is written in a place where the Torah discusses an offering, conclude from it that the unwitting blasphemer brings an offering for his transgression.**

The Gemara analyzes the next clause of the *baraita*: **And the verse states:** “Whoever curses his God shall bear his sin” (Leviticus 24:15). The Gemara explains: Here we arrive at the opinion of the Rabbis,ⁿ and this is what Rabbi Akiva is saying to the Rabbis: **You say that the transgression of one who blasphemes does not involve an action, as what is the case of one who blasphemes? It is one who blesses, i.e., curses, the Name, i.e., God. But if so, then concerning the punishment of *karet* that is written:** “That person blasphemes the Lord; and that soul shall be cut off [*venikhreta*] from among his people” (Numbers 15:30), **for what purpose does it come, if not to render him liable to bring an offering?**

NOTES

Here we arrive at the opinion of the Rabbis, etc. – אֵתָא לְרַבֵּנּוּ – וְכו': The commentary on the text follows the opinion of Rabbeinu Gershom Meor HaGola. Rashi accepts a different version of the Gemara, according to which the *megaddef* mentioned in the verse is not a blasphemer, as maintained by Rabbi Akiva, but an

idol worshiper, which accords with the later opinion of Rabbi Elazar ben Azarya. According to Rashi's interpretation, when the Rabbis in the mishna refer to *megaddef* they are using Rabbi Akiva's terminology, despite the fact that they do not agree with his definition.

Blasphemes [*megaddef*] – מגדף: *Megaddef* means to curse or blaspheme. Apparently, it can also refer to the act of cleaning a bowl with wide, sweeping hand motions. This term eventually became associated with one who passionately questions a perspective, as though he uses an exaggerated sweeping motion to indicate his incredulity at the opposing opinion (*Ge'onim*). The Arabic root جَدَف, *jdf*, conveys both meanings of the word.

NOTES

Like a person who says to another, you cleaned the bowl and rendered it lacking – האומר לחבירו: The commentary on the text follows the opinion of Rashi, who says that the expression: Rendered it lacking, refers to the bowl itself, i.e., it is as though the blasphemer harms the bowl itself, which is not the case with regard to an idol worshipper, who does not say anything about the name of God. Others explain to the contrary, that the expression: Rendered it lacking, means the blasphemer did not remove all the food, but left a little remaining. According to this opinion, the sin of blasphemy is less severe than idol worship, which leaves nothing on the plate, i.e., one denies God entirely.

There are some women who bring the offering of a woman after childbirth – יש מביאות קרבן: A woman who gives birth to a son is ritually impure for seven days. If she gives birth to a daughter she is impure for fourteen days. This is followed by thirty-three days in the case of a male and sixty-six days for a female, during which she remains ritually pure even if there is a flow of blood. The Torah obligates a woman to bring her offerings on the forty-first or eighty-first day, specifically a burnt offering and a sin offering. A wealthy woman brings a lamb for a burnt offering and a young pigeon or turtledove for a sin offering, while a poor woman brings two turtledoves or two young pigeons, one for a burnt offering and one for a sin offering. Only after she sacrifices her offering is her purification process complete and is she permitted to partake of sacrificial food (see Leviticus 12:1–6).

There are some women who bring a sin offering but it is not eaten – יש מביאות קרבן ואינו נאכל: This is referring to cases of uncertainty, as the mishna proceeds to explain. It is not merely an optional offering that serves to render her permitted to partake of sacrificial food if she so chooses. Rather, she is obligated to bring an offering in such cases of uncertainty. This is derived from a verse which compares this offering to the provisional guilt offering, which by definition is brought in cases of uncertainty (Rashi; see *Nazir* 29a).

אמרי ליה: ליתן כרת למקלל, דכתיב במקלל: ("חטאו ישא האיש ההוא"), ["ונשא חטאו"], וכתוב בפסח שני: "חטאו ישא", מה להלן כרת – אף כאן כרת.

The Rabbis say to him: It comes to give the punishment of *karet* to one who curses God, in order to teach that the phrase: "Shall bear his sin," written in the verse: "Whoever curses his God shall bear his sin" (Leviticus 24:15), is referring to *karet*, so that one can derive by verbal analogy that an individual who was obligated to bring a Paschal offering for the second *Pesah* and did not do so is likewise liable to receive *karet*. As it is written with regard to one who curses God: "Whoever curses his God shall bear his sin," and it is written with regard to one who was obligated to bring a Paschal offering for the second *Pesah*¹ and did not do so: "That man shall bear his sin" (Numbers 9:13). Just as there, with regard to one who curses God it is referring to the punishment of *karet*, so too here, with regard to the Paschal offering it is referring to the punishment of *karet*.

תנו רבנן: "את ה' מגדף" – איסי בן יהודה אומר, כאדם האומר לחבירו: גירפתה הקערה וחיסרתה; קסבר: מגדף מברך את השם הוא.

With regard to one who blasphemes, the Sages taught in a *baraita*: The verse states: "That person blasphemes [*megaddef*] the Lord" (Numbers 15:30). *Isi ben Yehuda* says: This is like a person who says to another: You cleaned [*geiraf*] the bowl and rendered it lacking,ⁿ i.e., the transgression of blasphemy is so severe that it is compared to one who does actual damage to God. *Isi ben Yehuda* maintains that the case of the blasphemer is identical to that of one who blesses, i.e., curses, the Name, i.e., God, which is a particularly severe transgression.

רבי אלעזר בן עזריה אומר, כאדם האומר לחבירו: גירפתה הקערה ולא חיסרתה; קסבר: מגדף היינו עובד עבודה זרה.

Rabbi Elazar ben Azarya says that this is like a person who says to another: You cleaned the bowl and removed its contents, but did not render it lacking, i.e., the transgression of blasphemy is not compared to one who does actual damage to God. *Rabbi Elazar ben Azarya* maintains that the case of the blasphemer is the same as that of an idol worshipper, which is a less severe transgression.

תנא אידך: "את ה'" – רבי אלעזר בן עזריה אומר: בעובד עבודה זרה הכתוב מדבר, וחקמים אומרים: לא בא הכתוב אלא ליתן כרת למברך השם.

This dispute as to the nature of the transgression of the blasphemer is taught in another *baraita*: "That person blasphemes the Lord" (Numbers 15:30), and *Rabbi Elazar ben Azarya* says: The verse is speaking of an idol worshipper. And the Rabbis say: The verse comes only to give the punishment of *karet* to one who blesses, i.e., curses, the Name, i.e., God.

מתני' יש מביאות קרבן ונאכל, ויש מביאות קרבן ואינו נאכל, ויש שאינם מביאות.

MISHNA There are some women who bring a sin offering of a woman after childbirthⁿ and the offering is eaten by the priests.ⁿ And there are some women who bring a sin offering but it is not eaten.ⁿ And there are some women who do not bring a sin offering at all.

מביאות קרבן ונאכל: המפלת כמין בהמה חיה ועוף, דברי רבי מאיר; וחקמים אומרים: עד שיהא בו מצורת אדם.

The mishna elaborates: The following women bring a sin offering and it is eaten by the priests: One who miscarries a fetus with a form similar to a domesticated animal, one who miscarries a fetus with a form similar to an undomesticated animal, or one who miscarries a fetus with a form similar to a bird; this is the statement of *Rabbi Meir*. And the Rabbis say: She does not bring a sin offering unless the fetus has the form of a person.

HALAKHA

כרת... בפסח שני – *Karet*... with regard to the second *Pesah* – With regard to one who unwittingly or due to circumstances beyond his control did not sacrifice the Paschal offering on the second *Pesah* he is liable to receive *karet* (*Rambam Sefer Korbanot, Hilkhot Korban Pesah* 5:2, and see *Ra'avad and Kesef Mishne* there).

Bring a sin offering of a woman after childbirth and the offering is eaten by the priests – מביאות קרבן ונאכל: If a woman bears a child or suffers a miscarriage and becomes ritually impure with the impurity of childbirth, she must bring

the offering of a woman after childbirth and her sin offering is eaten. If she does not become ritually impure she is exempt from bringing the offering. With regard to one who miscarries a fetus that looks like a type of domesticated animal, an undomesticated animal, or a bird, if its face is like that of a person then it is considered a child and the woman is rendered ritually impure with the impurity of childbirth. If it does not have a human face it is not like a child and she is not rendered impure. The *halakha* is in accordance with the opinion of the Rabbis (*Rambam Sefer Korbanot, Hilkhot Mehusei Kappara* 1:6 and *Sefer Kedusha, Hilkhot Issurei Bia* 10:8–9; *Shulhan Arukh, Yoreh De'a* 194:3).

NOTES

Placenta – שיליא: A placenta itself is not a fetus, but there is a principle that every placenta has a child (Nidda 26a). Even if the placenta was cut open and no fetus is found, it is assumed that the fetus which was present has liquefied (Rashba in Torat HaBayit 7:6).

BACKGROUND

Woman who gives birth by caesarean section – יוצא דופן: In ancient times these operations were not commonly performed on humans, but were occasionally performed to save a baby whose mother was about to die in childbirth. The Sages during the mishnaic period indicate that operations of this kind were performed on living women, who survived and even became pregnant again and bore additional children.

המפלת סנדל או שיליא או שפיר מרוקם, והיוצא מחותך, וכן שפחה שהפילה, מביאה קרבן ונאכל.

With regard to a woman who miscarries a sandal fetus, i.e., one that has the form of a flat fish; or if she miscarries the placenta;^{nh} or an amniotic sac in which tissue developed; or a fetus that emerged cut, i.e., in pieces; and likewise a Canaanite maidservant, owned by a Jew, who miscarried;^h in all these cases she brings a sin offering and it is eaten by the priests.

ואלו מביאות ואין נאכלות: המפלת ואין יודע מה הפילה, ושתי נשים שהפילו אחת ממין פטור ואחת ממין חובה. אמר רבי יוסי אימתי? בזמן שהלכו זה למזרח וזה למערב, אבל אם היו שתיהן עומדות – שתיהן מביאות קרבן ונאכל.

And these women bring sin offerings but their sin offerings are not eaten: One who miscarries and does not know the nature of what she miscarried; and two women who miscarried,^h in a case where one miscarried a fetus of a type for which a woman is exempt from bringing an offering and the other one miscarried a fetus of a type for which a woman is liable to bring an offering, and they do not know which miscarried which type. Rabbi Yosei said: When is their sin offering not eaten? It is when both women went to different places within the Temple to bring their offerings, e.g., this woman went to the east and that woman went to the west. But if both of them were standing together, both of them together bring one sin offering, and it is eaten.

אלו שאין מביאות: המפלת שפיר מלא מים, מלא דם, מלא גנינים, המפלת כמין דגים וחגבים ושקצים ורמשים, המפלת יום ארבעים, ויוצא דופן. רבי שמעון מחייב ביוצא דופן.

These women do not bring a sin offering: A woman who miscarries an amniotic sac full of water,^h or one full of blood, or one full of different colors; and likewise a woman who miscarries a fetus with a form similar to fish, or grasshoppers, or repugnant creatures, or creeping animals; and a woman who miscarries on the fortieth day of her pregnancy; and a woman who gives birth by caesarean section.^{bh} Rabbi Shimon deems a woman liable to bring a sin offering in the case where she gives birth by caesarean section.

גמ' שפחה מנולן? דתנו רבנן: "בני ישראל" – אין לי אלא בני ישראל, גיורת ושפחה מנולן? תלמוד לומר: "אשה"

GEMARA From where do we derive that in the case of a Canaanite maidservant, owned by a Jew, who miscarried, she brings a sin offering and it is eaten? As the Sages taught in a baraita: The passage discussing the halakhot of a woman following childbirth begins with the verse: "Speak to the children of Israel, saying: If a woman conceives and gives birth to a male" (Leviticus 12:2). From this verse I have derived only that the full-fledged children of Israel are included in these halakhot; from where do I derive that a convert and a Canaanite maidservant are also included in these halakhot? The verse states "a woman," which includes other women.

HALAKHA

A woman who miscarries a sandal fetus or the placenta, etc. – המפלת סנדל או שיליא וכו': If a woman miscarried a fetus in the form of a flat fish which has a face, or if she miscarries the placenta, or an amniotic sac in which tissue developed, i.e., the form of a person was very thin and not clearly discernable, and likewise if her fetus emerged cut, i.e., in pieces, she is impure by the ritual impurity of a woman after childbirth, and she brings an offering and that offering is eaten (Rambam Sefer Kedusha, Hilkhhot Issurei Bia 10:2, 6, 12, 14).

of whom is exempt from bringing the offering while the other is liable, and it is unknown which woman experienced which miscarriage, each of them brings the offerings of a woman who miscarries, due to the uncertainty, and neither of their sin offerings is eaten. The halakha is in accordance with the opinion of the first tanna, according to the explanation in Rambam's Commentary on the Mishna that this tanna disagrees with Rabbi Yosei (Rambam Sefer Korbanot, Hilkhhot Mehusei Kappara 1:7).

A Canaanite maidservant owned by a Jew who miscarried – שפחה שהפילה: Gentile slaves are susceptible to the ritual impurity of a gonorrhoea-like discharge [ziva], a menstruating woman, and a woman after childbirth, like full-fledged Jews (Rambam Sefer Tahara, Hilkhhot Metamei Mishkav UMoshav 2:10).

A woman who miscarries an amniotic sac full of water, etc. – המפלת שפיר מלא מים וכו': With regard to a woman who miscarries an amniotic sac full of water, or full of blood, or full of different colors; and likewise a woman who miscarries a fetus with a form similar to fish, or grasshoppers, or repugnant creatures, or creeping animals; and similarly a woman who miscarries on the fortieth day of her pregnancy, there is no concern that any of these might be a fetus, and therefore she is pure from the ritual impurity of a woman after childbirth and is exempt from bringing an offering (Rambam Sefer Kedusha, Hilkhhot Issurei Bia 10:2, 4, 5:15).

A woman who miscarries and one does not know...and two women who miscarried, etc. – ושתי נשים...המפלת ואין יודע: If a woman experiences a miscarriage but does not know what she miscarried, she observes the ritual impurity status of a woman who gave birth to a female, even if she was not presumed to be pregnant. She brings the offerings of a woman who miscarries, but her sin offering is not eaten. The reason is that a sin offering of a bird which is brought due to uncertainty is burned, as she might not be liable, which would mean that this bird slaughtered in the Temple courtyard was non-sacred and it is prohibited to derive benefit from its carcass. Similarly, with regard to two women who had miscarriages, one

A woman who gives birth by caesarean section – יוצא דופן: A woman who gives birth by caesarean section does not have the ritual impurity of a woman after childbirth. She observes neither the days of impurity nor the days of purity. The halakha is in accordance with the opinion of the first tanna (Rambam Sefer Kedusha, Hilkhhot Issurei Bia 10:5).

“אֵלֹהֵי שָׂאִין מִבִּיאֹת כּוֹ רֵבִי שְׁמַעוֹן מִחַיִּיב בְּיוֹצֵא דוֹפֵן. מֵאִי טַעְמָא דְרַבִּי שְׁמַעוֹן? אָמַר רִישׁ לְקִישׁ, אָמַר קְרָא: “וְאִם נִקְבָּה תֵלֵד” – לְרֵבּוֹת לֵידָה אַחֲרָת, מֵאִי הִיא – יוֹצֵא דוֹפֵן.

§ The mishna teaches: And these women do not bring a sin offering, and among them are a woman who gives birth by caesarean section. Rabbi Shimon deems a woman liable to bring an offering in a case where she gives birth by caesarean section. The Gemara asks: What is the reason of Rabbi Shimon? Reish Lakish said that the verse states: “But if she bears a girl” (Leviticus 12:5). The term “she bears” is superfluous in the context of the passage, and it serves to include another type of birth, and what is it? This is a birth by caesarean section.

וְרַבְּנָן, מֵאִי טַעְמָא? אָמַר רַבִּי מַנִּי בַר פַּטִּישׁ: “אִשָּׁה כִּי תִזְרִיעַ וְיִלְדָה” – עַד שֶׁתֵּלֵד מִמְּקוֹם שְׁמוֹרֶעֶת.

The Gemara asks: And as for the Rabbis, what is their reasoning? Rabbi Mani bar Pattish said that their ruling is derived from the verse: “If a woman conceives [tazria] and gives birth to a male” (Leviticus 12:2). The word *tazria* literally means to receive seed, indicating that all the *halakhot* mentioned in that passage do not apply unless she gives birth through the place where she receives seed, not through any other place, such as in the case of a caesarean section.

מִתַּנִּי הַמַּפְלֵת לְאוֹר שְׁמוֹנִים וְאַחַד – בֵּית שְׁמַאי פּוֹטְרִין מִן הַקֶּרְבָּן, וּבֵית הַלֵּל מַחֲיִבִין.

MISHNA A woman who gives birth to a daughter counts fourteen days during which she is ritually impure. That is followed by sixty-six days during which she remains ritually pure even if she experiences a flow of blood. The Torah obligates a woman to bring her offering on the eighty-first day (see Leviticus 12:1–6). If the woman miscarries another fetus before that day, she is not required to bring an additional offering. In the case of a woman who miscarries a fetus on the night of, i.e., preceding, the eighty-first day,^h Beit Shammai deem her exempt from bringing a second offering and Beit Hillel deem her liable to bring a second offering.

אָמְרוּ בֵּית הַלֵּל לְבֵית שְׁמַאי: מֵאִי שָׂנֵא אֹר שְׁמוֹנִים וְאַחַד מִיָּמִים שְׁמוֹנִים וְאַחַד, אִם שְׂוִיהָ לּוֹ לְטוֹמְאָהּ לֹא יִשְׁוֶה לּוֹ לְקֶרְבָּן?

Beit Hillel said to Beit Shammai: What is different between the night of the eighty-first and the day of the eighty-first? If they are equal with regard to the *halakhot* of ritual impurity, i.e., the blood flow of this woman on the eighty-first night renders her ritually impure and all the standard strictures of ritual impurity apply to her, will the two time periods not be equal with regard to liability to bring an additional offering as well?

אָמְרוּ לָהֶם בֵּית שְׁמַאי: לֹא, אִם אֲמַרְתֶּם בְּמַפְלֵת יוֹם שְׁמוֹנִים וְאַחַד, שְׂכָן יִצְאָה לְשַׁעַה שֶׁהִיא רְאוּיָה לְהֵבִיא בָּהּ קֶרְבָּן, תֵּאמַר בְּמַפְלֵת לְאוֹר שְׁמוֹנִים וְאַחַד, שְׂלֹא יִצְאָה לְשַׁעַה שֶׁהִיא רְאוּיָה לְהֵבִיא בָּהּ קֶרְבָּן?

Beit Shammai said to Beit Hillel: No, there is a difference between that night and the following day. If you said with regard to a woman who miscarries on the eighty-first day that she is obligated to bring an additional offering, this is logical, as she emerged into a period that is fit for her to bring her offering. Would you say the same with regard to a woman who miscarries on the night of the eighty-first day, where she did not emerge into a period that is fit for her to bring her offering, as offerings are not sacrificed at night?

אָמְרוּ לָהֶן בֵּית הַלֵּל: וְהִלֵּא הַמַּפְלֵת יוֹם שְׁמוֹנִים וְאַחַד שְׂחַל לְהִיּוֹת בְּשַׁבַּת תּוֹכֵיחַ, שְׂלֹא יִצְאָה לְשַׁעַה שֶׁהִיא רְאוּיָה לְהֵבִיא בָּהּ קֶרְבָּן וְחַיִּיבַת קֶרְבָּן!

Beit Hillel said to Beit Shammai: But let the case of a woman who miscarries on the eighty-first day that occurs on Shabbat prove that this distinction is incorrect, as she did not emerge into a period that is fit for her to bring her offering because individual offerings are not sacrificed on Shabbat, and nevertheless she is obligated to bring an additional offering.

HALAKHA

A woman who miscarries on the night of the eighty-first day – of the eightieth day are included in the first birth, and she brings only one offering. If she gives birth, becomes pregnant again, and miscarries on the night of the eighty-first day after her previous birth, she must bring a separate offering for that miscarriage. The *halakha* is in accordance with the opinion of Beit Hillel (Rambam *Sefer Korbanot, Hilkhot Mehusei Kappara* 1:8).

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