

It all should be burned inside except for that which became impure from a primary source of ritual impurity outside – הכל – ישרף בפנים חוץ משנטמא באב הטומאה בחוץ: Even though it is prohibited by Torah law to bring a ritually impure item into the Temple or to leave such an item there, this *halakha* does not refer to impure food, including the flesh of offerings. Only an item that became a primary source of ritual impurity, or that can become ritually pure by immersion in a ritual bath (see *Eirubin* 104b) is prohibited by Torah law from entering the Temple. The flesh of an offering, like other foods, can never become ritually impure beyond first-degree ritual impurity, and it also cannot be rendered pure by immersion (Rav Yehuda ben Rav Binyamin HaRofeh; *Tiklin Haditin*, citing the Vilna Gaon). However, even though the consecrated flesh that has been rendered ritually impure may be burned in the Temple courtyard according to Torah law, the Sages prohibited allowing it into the courtyard except under certain circumstances (Ra'avad on *Torat Kohanim*, *Parashat Tzav*, 8:6–7). The Sages disagree in the mishna as to what those circumstances are.

Perek VIII

Daf 22 Amud a

HALAKHA

That became ritually impure – שנטמא: There is a positive commandment to burn all consecrated meats that become ritually impure, as the verse states: “And the flesh that touches any unclean thing shall not be eaten; it shall be burnt with fire” (Leviticus 7:19). Where is it burnt? If it became ritually impure inside, it is burnt inside, and if it became ritually impure outside, it is burnt outside; this is the case whether it became ritually impure from a primary source of ritual impurity or a secondary source of ritual impurity. This ruling is in accordance with the view of Rabbi Akiva (Rambam *Sefer Avoda*, *Hilkhot Pesulei HaMukdashin* 19:1 and 19:6).

הלכה ג מתני' בשר קדשי קדשים שנטמא בין באב הטומאה בין בולד הטומאה, בין בפנים בין בחוץ, בית שמאי אומרים: הכל ישרף בפנים, חוץ משנטמא באב הטומאה בחוץ. בית הלל אומרים: הכל ישרף בחוץ, חוץ משנטמא בולד הטומאה בפנים.

HALAKHA 3 • MISHNA With regard to the flesh of offerings of the most sacred order that became impure, whether it became impure from a primary source of impurity or from a secondary source of impurity, whether it became impure inside the courtyard or outside, it must be burned. There is a dispute among the *tanna'im* with regard to where it is burned. **Beit Shammai say: It all should be burned inside the Temple courtyard, except for that which became impure from a primary source of ritual impurity outside,**^N as under such circumstances, it is not appropriate to bring it inside the Temple. **Beit Hillel say: It all should be burned outside the Temple courtyard, except for that which became ritually impure by a secondary source of impurity inside.** In such a case the flesh need not be removed from the courtyard and is burned there.

רבי אלעזר אומר: שנטמא באב הטומאה, בין בפנים בין בחוץ – ישרף בחוץ, שנטמא בולד הטומאה בין בחוץ בין בפנים – ישרף בפנים. רבי עקיבא אומר: מקום טומאתו שם שריפתו.

Rabbi Elazar says: Flesh from offerings of the most sacred order that became ritually impure from a primary source of ritual impurity, whether it became so inside the courtyard or outside, is burned outside. Since its ritual impurity is of the most stringent type, it is not brought into the courtyard, or allowed to remain there. However, an item that became ritually impure from a secondary source of ritual impurity, whether it became ritually impure outside or inside, is burned inside. Since its ritual impurity is of a lenient type, it can be brought into the courtyard in order to be burned. **Rabbi Akiva says: The place of its impurity is where its burning should occur.** Therefore, regardless of whether the source is primary or secondary, such flesh is burned wherever it presently is.^H

גמ' בר קפרא אומר: אב הטומאה – דבר תורה, ולד הטומאה – מדבריהם. רבי יוחנן אומר: בין זה דבר תורה.

GEMARA The opinions in the mishna, with the exception of that of Rabbi Akiva, distinguish between impurity conferred by a primary source and that conferred by a secondary source. The Gemara presents a dispute as to the nature of this distinction. **Bar Kappara said: The primary source of ritual impurity mentioned in the mishna is referring to a scenario where the flesh of the offering became impure by Torah law, and the secondary source of ritual impurity mentioned in the mishna is referring to impurity by rabbinic ordinance.** **Rabbi Yoḥanan said: Both this and that,** both the primary and secondary sources of ritual impurity mentioned, refer to cases of impurity by Torah law.

וקשיא דרבי יוחנן על דבית שמאי, דבית שמאי אומרים: הכל ישרף בפנים, חוץ משנטמא באב הטומאה בחוץ. מה בין אב הטומאה בחוץ מה בין ולד הטומאה בחוץ, זה וזה לא דבר תורה הוא?

The Gemara asks: **And there is a difficulty with Rabbi Yoḥanan's opinion that arises from Beit Shammai's opinion in the mishna.** It was taught in the mishna that **Beit Shammai say: It all should be burned inside the courtyard of the Temple, except for that which became impure from a primary source of impurity outside.** In accordance with the opinion of Rabbi Yoḥanan, **what is the distinction between a primary source of impurity outside and a secondary source of impurity outside?** After all, are not **this and that**, both the flesh that became impure from the primary source and that which became impure from the secondary source, impure by Torah law?

ואפילו על דבית הלל לא מקשיא, דבית הלל אומר: הכל ישרף בחוץ – חוץ מה שנטמא בולד הטומאה בפנים, מה בין אב הטומאה בפנים, זה וזה לא דבר תורה הוא?

And is this not difficult even according to the opinion of Beit Hillel? As the mishna stated that **Beit Hillel said: It all should be burned outside the courtyard of the Temple, except for what became ritually impure by a secondary source of impurity inside.** In accordance with the opinion of Rabbi Yoḥanan, **what is the distinction between consecrated flesh that became ritually impure from a secondary source of impurity inside and consecrated flesh that became ritually impure from a primary source of impurity inside?** Are not **this and that** Torah law, and shouldn't the principle be the same?

From the halfway point and below – **מִחְצֵי כָּבֶשׂ** וְלִמְטָה: Some of the early commentaries explain that the limbs were placed specifically on the lower half of the ramp, so that when the priests would transfer the limbs to the fire on the altar after the incense was offered, this transfer would be recognized as a significant rite. Another explanation is that if the limbs were too close to the fire, it could lead to a mistake, as they might be improperly placed on the fire before the incense was offered in the Sanctuary (Commentary on tractate *Tamid*). Some later commentaries address the question of whether transferring the limbs from the ramp is part of the sacrificial rite of transferring, which usually refers to the blood of the sacrifice, or is part of the rite of sacrificing (Rabbi Yitzhak Ze'ev Soloveitchik; Hazon Ish).

לֹא הוּוּ בְּהַרְבֵּן אֶלְאֵי עַל דְּבַר קַפְרָא. וְקִשְׁיָא דְּבַר קַפְרָא עַל דְּבֵית שְׁמַאי. דְּבֵית שְׁמַאי אָמְרִים: הַכֹּל יִשְׂרָף בְּפָנִים, חוּץ מִשְׁנֵטְמָא בְּאֵב הַטּוֹמְאָה בְּחוּץ, מֵהַ בֵּין אֵב הַטּוֹמְאָה בֵּין בְּחוּץ בֵּין בְּפָנִים, זֶה וְזֶה לֹא דְּבַר תּוֹרָה הוּא?

The Gemara proceeds to ignore these questions with regard to Rabbi Yoḥanan's opinion, explaining that **the Sages did not discuss the mishna except in accordance with the opinion of bar Kappara. And there is also a difficulty in accordance with the opinion of bar Kappara with the statement of Beit Shammai.** For it was taught in the mishna that **Beit Shammai say: It all should be burned inside the courtyard of the Temple, except for that which became impure from a primary source of ritual impurity outside.** In accordance with the opinion of bar Kappara, **what is the distinction, with regard to flesh that became impure by a primary source of impurity, between whether it occurred outside the Temple courtyard or inside?** In accordance with the opinion of bar Kappara, are **not this and that Torah law** and shouldn't the rule be the same? Accordingly, why distinguish between them with regard to where the flesh must be burned?

בְּגִין דְּרַבִּי עֲקִיבָא אָמַר מְקוּם טוֹמְאָתוֹ שֵׁם תִּהְיֶה שְׂרִיפְתּוֹ.

The Gemara answers: The reason that Beit Shammai distinguish between impurity that occurred inside the Temple courtyard and that which occurred outside is **because they accepted the reasoning of Rabbi Akiva, who said in the mishna: The place of its impurity is where its burning should occur.** Beit Shammai, however, do not completely agree with Rabbi Akiva. With regard to items that became impure by Torah law, their opinion is in accordance with the opinion of Rabbi Akiva, meaning that the items should be burned wherever they are. However, if an item became impure by rabbinic ordinance, Beit Shammai maintain, against the opinion of Rabbi Akiva, that it is brought into the courtyard to be burned.

וְאִפִּילוּ עַל דְּבֵית הִילֵל לֹא מְקִשְׁיָא. דְּבֵית הִילֵל אָמַר: הַכֹּל יִשְׂרָף בְּחוּץ חוּץ מִשְׁנֵטְמָא בּוֹלֵד הַטּוֹמְאָה בְּפָנִים, מֵהַ בֵּין וְלֵד הַטּוֹמְאָה בֵּין בְּפָנִים בֵּין בְּחוּץ, זֶה וְזֶה לֹא מִדְּבָרֵיהֶם הוּא?

The Gemara continues to question the opinion of bar Kappara: **And is this not difficult even according to the opinion of Beit Hillel?** As the mishna stated that **Beit Hillel said: It all should be burned outside the courtyard of the Temple, except for that which became ritually impure by a secondary source of impurity inside.** According to bar Kappara **what is between, why is there a distinction, with regard to flesh that became impure by a secondary source of impurity between whether it occurred outside the Temple courtyard or inside? Aren't both this and that instances where the impurity is by rabbinic ordinance?**

בְּגִין דְּרַבִּי שְׁמַעוֹן אָמַר: מֵאֲכָלוֹ וּמִשְׁקוֹ שֶׁל מְצוּרַע מְשִׁתְּלָחִין חוּץ לְשָׁלֹשׁ מַחֲנֹת.

The Gemara answers: Beit Hillel distinguish between impurity that occurred inside the Temple courtyard and impurity that occurred outside **due to that which Rabbi Shimon said: The food and drink of a leper is banished from all three of the camps** in which the Children of Israel lived in the desert. These are the camp of the Divine Presence, i.e., the Tabernacle; the camp of the Levites, who were encamped around the Tabernacle; and the camp of Israel, where the rest of the nation lived. Once food and drink has become impure through contact with a leper, it is banned from all three camps, like the leper himself. If it became impure outside the camps, it should not be brought inside. Beit Hillel follow the same rationale, that an item rendered impure outside, even if by rabbinic ordinance, may not be brought into the Temple even for the purpose of burning it.

הַלְכָה דַּ מִּתְּנִי אֵיבְרֵי הַתְּמִיד נִתְּנִין מִחְצֵי כָּבֶשׂ וְלִמְטָה. שֶׁל מוֹסְפִין – נִתְּנִין מִחְצֵי כָּבֶשׂ וְלִמְטָה בְּמִזְבֵּחַ. שֶׁל רֵאשִׁי חֲדָשִׁים נִתְּנִין עַל כְּרֹבּוֹב הַמִּזְבֵּחַ מִלְּמַעְלָן.

HALAKHA 4 • MISHNA The limbs of the daily offering were not placed directly on the altar fire. Instead, after cutting up the offering, its limbs were placed first on the ramp of the altar, from the halfway point and below,^{NH} on the lower sixteen cubits of the ramp, on its western side. Limbs of the additional offerings of the Shabbat and Festivals were placed on the ramp from the halfway point and below on its eastern side. Additional New Moon offerings were placed on top of the upper part of the edge [*karkov*] of the altar.

HALAKHA

The limbs of the daily offering were placed first on the ramp, from the halfway point and below – **מִחְצֵי כָּבֶשׂ וְלִמְטָה**: The limbs of the daily burnt-offering were placed on the ramp of the altar, from halfway up the ramp and below

low, on its western side. Limbs of the additional offerings of Shabbat and Festivals were placed on the ramp of the altar, from halfway up the ramp and below, on its eastern side. Additional New Moon offerings were placed on the upper part of

the altar, between the horns, in the place of the priests' pas-sageway. This was done to publicize the New Moon, in accordance with the mishna (Rambam *Sefer Avoda, Hilkhot Temidin UMusafin* 6:3).

Half-shekels – הַשְּׁקָלִים: The obligation to give a half-shekel coin is only when the Temple is standing, in accordance with the mishna (Rambam *Sefer Zemanim, Hilkhot Shekalim* 1:8).

The first fruits – הַבְּיּוֹרִים: The obligation to bring first fruits is only when the Temple is standing and only applies to produce of Eretz Yisrael, in accordance with the mishna (Rambam *Sefer Zera'im, Hilkhot Bikkurim* 2:1).

Grain tithes – מַעֲשֵׂר דֶגָן: *Terumat* and tithes are Torah laws that apply only to the produce of Eretz Yisrael, whether or not the Temple is standing, in accordance with the mishna (Rambam *Sefer Zera'im, Hilkhot Terumat* 1:1).

Animal tithes – מַעֲשֵׂר בְּהֵמָה: Animal tithes are a Torah law that applies both in Eretz Yisrael and outside of it, whether or not the Temple is standing (see *Bekhorot* 53a). The Sages prohibit the tithing of animals in the present day. They decreed that it should be done only when there is a Temple, lest one mistakenly eat it and thereby violate the prohibition against slaughtering consecrated animals outside of the Temple, which is punishable by *karet*. However, if one went ahead and separated animal tithes in the present day, the animal is consecrated as a tithe and can only be eaten after it develops a blemish, in accordance with the mishna (Rambam *Sefer Korbanot, Hilkhot Bekhorot* 6:2).

Firstborn animals – בְּכוֹרוֹת: This mitzva applies whether or not there is a Temple, like tithes of grain, in accordance with the mishna (Rambam *Sefer Korbanot, Hilkhot Bekhorot* 1:5).

הַשְּׁקָלִים וְהַבְּיּוֹרִים אֵינָן נוֹהֲגִין אֶלְיָא בְּפָנֵי הַבַּיִת, אֲבָל מַעֲשֵׂר דֶגָן וּמַעֲשֵׂר בְּהֵמָה וּבְכוֹרוֹת – נוֹהֲגִין בֵּין בְּפָנֵי הַבַּיִת וּבֵין שְׁלֵא בְּפָנֵי הַבַּיִת. הַמַּקְדִּישׁ שְׁקָלִים וּבְיּוֹרִים – הָרִי זֶה קוֹדֵשׁ. רַבִּי שְׁמַעוֹן אָמַר: הָאוֹמֵר בְּיּוֹרִים קוֹדֵשׁ – אֵינָן קוֹדֵשׁ.

Another law: The obligation to give half-shekels^H each year and to offer the first fruits^{HN} is practiced only in the presence of the Temple, as fulfillment of these mitzvot is only possible then. But the mitzvot of produce tithes and grain tithes^{HN} and of animal tithes^{HN} and of the sanctified firstborn animals^H are practiced whether one is in the presence of the Temple, or one is not in the presence of the Temple. Although animal tithes and firstborn cannot be sacrificed without a Temple, once they develop a blemish, they may be eaten by their owners. If, in the present time when there is no Temple, one consecrates shekels for the mitzva of the half-shekel or fruits for the mitzva of first fruits, they are consecrated, and it is prohibited to derive benefit from them. Rabbi Shimon says: One who declared first fruits to be consecrated, in the present time, does not give them that status and they are not consecrated.

גַּמ' אֵיזוֹהוּ כְּרוֹב הַמּוֹבֵת – אֵמָה בֵּין קֶרֶן לְקֶרֶן, מְקוֹם הַיּוֹדֵךְ וְגַלְי כְּהֻנָּם.

GEMARA The mishna states that additional New Moon offerings were placed on the *karkov*. What is the *karkov* of the altar?^N It is the cubit-wide area between one horn and the other^N on the top surface of the altar, and the place allocated for the priests' passage when they move about the altar performing their duties.

NOTES

The first fruits – הַבְּיּוֹרִים: The mitzva of the first fruits is elaborated in Deuteronomy 26 and mentioned in several other places in the Torah, and the details of the mitzva are explained in tractate *Bikkurim*. The first fruits come from the seven species that are identified as the produce of Eretz Yisrael, and they are the first produce separated from the harvest, even before *teruma* and tithes. They are brought by the landowner to the Temple, and the priest waves them in front of the owner before the altar while the owner recites the verses about the first fruits (Deuteronomy 26:5–10) and then gives them to the priests. The Mishna explains that there are also cases in which one offers the first fruits but does not read the verses, due to the irrelevance of certain passages in the verses to his individual situation.



Procession with the first fruits on the way to the Temple

Grain tithes – מַעֲשֵׂר דֶגָן: The Gemara (*Yevamot* 81a) records a dispute with regard to whether *teruma* in the present day is a rabbinic or Torah law. This is an ancient dispute that begins among the *tanna'im* but continues, in various forms, amongst the *amora'im* and early commentaries. One understanding of this issue is that *teruma* in the present day is not in force by Torah law, because the sanctity of Eretz Yisrael is no longer in effect by Torah law. Nevertheless, the people took upon themselves to continue to observe mitzvot that are dependent on the land.

As such, the sanctity of the land regarding *teruma* and tithes is not dependent on the presence of the Temple, but on whether the majority of Jews live in Eretz Yisrael. According to this view, as explained by the Rambam, the laws of *teruma* and tithes did not have force as Torah law even during the time of the Second Temple; rather, it was the Jews who had accepted upon themselves to observe the laws of *teruma*. The basis for this understanding comes from the book of Nehemiah

(chapter 9). The Gemara discusses in depth what exactly can be learned from this chapter.

Animal tithes – מַעֲשֵׂר בְּהֵמָה: Animal tithes were separated from kosher, domesticated animals, i.e., oxen, sheep, and goats, that are born each year. The animals from which the tithe had not been taken were placed together in a corral and removed one at a time. When the count reached ten, that animal would customarily be marked with red dye, and it became the tithe. If the animal were unblemished, it would be offered as a sacrifice and eaten by its owners in Jerusalem. The tithe was consecrated and it was prohibited to use it for any purpose until it developed a blemish.

Though the mishna says that animal tithes are still practiced in the present day, this is only by Torah law. Out of concern that one may come to use a consecrated animal, to shear its wool or for labor, the Sages canceled the law of animal tithes (*Rosh*; Rabbi Ovadya Bartenura based on *Bekhorot* 53a). The Sages have the power to uproot a positive commandment, despite its status as Torah law, so long as it involves passively refraining from action as opposed to committing an infraction (see *Yevamot* 90a). *Tosefot Yom Tov* adds that the ability of the Sages to cancel this mitzva relies on the fact that untithed animals, as opposed to untithed produce, are not prohibited (see *Bekhorot* 57b–58a).

What is the *karkov* of the altar – אֵיזוֹהוּ כְּרוֹב הַמּוֹבֵת: Rashi (*Zevahim* 62a) explains that a *karkov* is a groove that surrounds a structure and is usually there for beauty. According to the opinion of Rabbi Yosei bar Rabbi Yehuda, there was a cubit-wide groove around the edge of the altar, with a narrow curb at its edge to prevent the priests from falling off the altar. According to Rabbi Yehuda HaNasi, it was not a groove but some sort of molding that was made around the altar as decoration. Some explain that according to Rabbi Yehuda HaNasi the *karkov* was purely for decoration, while according to Rabbi Yosei bar Rabbi Yehuda it served as a walkway for the priests (see the classical commentaries on Exodus 27:5).

Between one horn and the other – בֵּין קֶרֶן לְקֶרֶן: The Gemara (*Zevahim* 62a) points out that this cubit cannot be the place the priests walked, as their passage would be blocked by the horns of the altar. It therefore concludes that the *karkov* was actually two cubits wide, including a cubit-wide area for the priests' passage. See the commentary of Rabbi Avraham ben HaRambam, who quotes an early view of Rabbi Hefetz that suggests that the *karkov* was a gutter that surrounded the altar (see *Keneset HaRishonim*).

Additional Shabbat offerings and the additional New Moon offerings – מוספי שבת ומוספי ראש חודש – The mishna (*Zevahim* 89a) states that additional Shabbat offerings take precedence over additional New Moon offerings based on the principle that more frequent practices take precedence over less frequent practices. Nevertheless, the Gemara here raises this question. Furthermore, Rabbi Yirmeya maintains that the additional New Moon offerings take precedence. The commentaries explain that Rabbi Yirmeya bases his opinion on the *baraita* quoted here, which he understands as disagreeing with the mishna in *Zevahim* (Rash Sirilio; *Shayarei HaKorban*).

A convert who converts in the present day is obligated to set aside, in lieu of his pair of doves, a quarter-dinar of silver – גר בזמן הזה צריך להביא קינו ריבועית כסף – A pair of doves could not be bought for less than a quarter-dinar (*Keritot* 10b). The requirement to set aside funds to buy an offering applies only to a convert, as the offering is part of what allows him to join the congregation. Others who require atonement as part of a purification process, such as a woman after childbirth, were not required by the Sages to set money aside, as the offering is required only to permit the eating of consecrated meat and in the absence of the Temple there is no need for it (*Tosafot Yeshanim, Keritot* 9a).

HALAKHA

Additional Shabbat offerings and the additional New Moon offerings – מוספי שבת ומוספי ראש חודש – When a New Moon falls on Shabbat, the additional Shabbat offerings are offered first and only after their completion are the additional New Moon offerings sacrificed, in accordance with the principle that frequent practices take precedence over the infrequent practices. This ruling is in accordance with Rabbi Yosei's opinion (Rambam *Sefer Avoda, Hilkhot Temidin UMusafin* 9:2).

The song of Shabbat and the song of the New Moon – שירי של – שבת ושירי של ראש חודש – When a New Moon falls on Shabbat, the song of the New Moon supersedes the song of Shabbat in order to publicize that it is a New Moon, in accordance with the *baraita* (Rambam *Sefer Avoda, Hilkhot Temidin UMusafin* 6:10).

A convert who converts in the present day – גר בזמן הזה – A non-Jew who converts today requires immersion and circumcision; and when the Temple is rebuilt, he should offer his sacrifice. The *halakha*, in accordance with Rabbi Yohanan ben Zakkai and in accordance with Rabbi Shimon (*Keritot* 9a), is that he does not set aside a quarter-dinar of silver for his offering, but nevertheless he must bring an offering once the Temple is rebuilt (Rambam *Sefer Kedusha, Hilkhot Issurei Bia* 13:5; *Maggid Mishne* there).

One may not consecrate an item, or take a valuation vow, or consecrate objects for the Temple – אין מקדישין ולא מעריכין ולא – מחרימין – Consecrating items, taking dedicatory vows of valuation, or consecrating objects for use of the priests or the Temple is not done in the present day when there is no Temple to maintain. If one does consecrate an item, if it is an animal, he must lock it up until it dies of its own accord. If it is produce, an article of clothing, or a vessel, it must be left to rot. If it is money or a metal vessel, it must be thrown into the Dead Sea or Mediterranean Sea and lost. All of this applies if the owner does not want to redeem the item; but if he does want to redeem it, he can do so with a *peruta*, and instead throw that *peruta* into the oblivion of the Dead Sea (Rambam *Sefer Hafla'a, Hilkhot Arakhin VaHaramim* 8:8; *Ra'avad* there).

LANGUAGE

However [*beram*] – ברם – This Aramaic word appears in the book of Daniel. Usually it means but, however, or only. Some think that it comes from the same root as *berar*, meaning choose or differentiate, and others think it is a shortened version of *bar min*, meaning except for.

מוספי שבת ומוספי ראש חודש מי קודם? רבי ירמיה סבר מימר: מוספי שבת ומוספי ראש חודש – מוספי ראש חודש קודמין. חילוקיה דרבי ירמיה מן הדא: שירו של שבת ושירו של ראש חודש קודם.

אמר רבי יוסה: שנייא היא תמן, דאמר רבי חייא בשם רבי יוחנן: כדי לפרסמו ולהודיע שהוא ראש חודש.

ביצד היה עושה? שוחט מוספי שבת ואומר עליהן שירו של ראש חודש. ברם הכא – מוספי שבת ומוספי ראש חודש – מוספי שבת קודמין, על שם כל התדיר מחבירו קודם את חבירו.

שקלים וביבורים" וכו'. הא שקלים קדשו. רבי שמעון בן יהודה משום רבי שמעון: בין אלו ובין אלו לא קדשו.

תני: גר בזמן הזה צריך להביא קינו ריבועית כסף. אמר רבי שמעון: ביטלה רבי יוחנן בן זכאי מפני התקלה.

מהו מפני התקלה – כהדא דתני: אין מקדישין ולא מעריכין ולא מחרימין ולא מגביהין תרומות ומעשרות בזמן הזה.

While on the topic, the Gemara asks: When the New Moon falls on Shabbat and both the **additional Shabbat offerings** and the **additional New Moon offerings**^{NH} must be offered, **which of them takes precedence?** Rabbi Yirmeya thought to say that when **additional Shabbat offerings** and **additional New Moon offerings** are both sacrificed, the **additional New Moon offerings take precedence** and are offered first. The Gemara comments: **The strength of, or support for, Rabbi Yirmeya's opinion comes from that** which was taught in a *baraita*: When the New Moon falls on Shabbat, **the song** sung by the Levites in the Temple of Shabbat and **the song of the New Moon**^H both need to be sung; **the song of the New Moon takes precedence**, and likewise, the additional offering of the New Moon is offered first.

Rabbi Yosei said: The halakha is different there in the case of the Levites' song, as **Rabbi Ḥiyya said in the name of Rabbi Yohanan**: The reason that the song of the New Moon takes precedence over the song of Shabbat is **in order to publicize the occasion and to inform everyone that it is the New Moon**. Since the New Moon originally depended upon the Sanhedrin establishing its exact date, there was a need to publicize which day was the first of the month.

How precisely would it be done? When would they sing the song for the New Moon, while preserving the precedence of the additional Shabbat offerings? The priest would **slaughter the additional Shabbat offerings** and the Levites would then **sing the song for the New Moon**. However [*beram*]^L here, with regard to **the additional Shabbat offerings** and the **additional New Moon offerings** rather than the songs, the **additional Shabbat offerings take precedence, following the principle**: When a **frequent practice** and an **infrequent practice** clash, the **frequent practice takes precedence over the other**, the infrequent, practice. Therefore, the Sages said to slaughter the additional Shabbat offering before the additional New Moon offering.

S The mishna stated that the obligation to give half-shekels each year and to offer the first fruits is only practiced in the presence of the Temple. However, if one consecrates shekels or first fruits in the present day, they are consecrated, and it is prohibited to derive benefit from them. Rabbi Shimon disagrees and says such an attempt to consecrate the first fruits would not be effective. The Gemara points out: Even according to Rabbi Shimon, **this indicates that shekels would be consecrated** if one did so in the present day. **Rabbi Shimon ben Yehuda in the name of Rabbi Shimon** says, contrary to this implication: **Both these, first fruits, and those, shekels, are not consecrated**.

The Gemara continues with a discussion of consecrated items in the present day, in the absence of the Temple. **It was taught in a baraita: A convert who converts in the present day^H is obligated to set aside, in lieu of his pair of doves, a quarter-dinar of silver,^N for that is the cheapest price at which one can purchase them.** A convert at the time of the Temple was obligated to offer two doves or pigeons as the conclusion of the conversion process. **Rabbi Shimon said: Rabbi Yohanan ben Zakkai voided that obligation due to the potential for a mishap**, since that money would be consecrated and there is a high risk that it would be misused.

What is meant by: Due to the potential for a mishap? Where can it be seen that the Sages were concerned about the possibility of such mishaps? **Like that which was taught in a baraita: One may not consecrate an item, or take a valuation vow, i.e., vow that one's value is dedicated to the Temple, or consecrate objects for use by the priests or the Temple,^H or separate terumat or tithes in the present day** when there is no Temple, lest there be a mishap and one derive prohibited benefit from any of those items.

BACKGROUND

Antodarya – עֲנֹתוֹדְרִיָא: Antodarya is the name of a place. The name appears in the Talmud also as Antoraya, but that could be a mistake. Researchers are unsure as to its identity. Some identify it as a place near Kfar Yehoshua in the Jezreel Valley called Ein Tora or Tel Tora, which may be a corrupted form of Antotyta, or Ein Totiya, meaning the fountain or spring of the strawberry.

ואם הקדיש או העריך או החרים או הגביה – הכסות תישרף, הבתמה – תיעקר. ביצד? נועל בפניה הדלת והיא מתה מאיליה. והמעות ילכו לים המלח.

עבר והקדיש, מן מה דאמר רבי שמעון ביטלה רבן יוחנן בן זכאי מפני התקלה – הדיא אמרה עבר והקדיש קדשו.

רבי יודה ענתודרייא בעי קומי רבי יוסי: הכא את?

And if he violated this rule, and consecrated an item, or took a valuation vow, or consecrated an object for use by the priests or the Temple, or separated *terumot* or tithes, the clothing that was consecrated is burnt, the animal is destroyed. How is it destroyed? The door of its stall is locked in front of it and it dies by itself, of hunger, as it is prohibited to actively destroy consecrated items. And the money that was consecrated goes to the Dead Sea, i.e., is abandoned where no one will ever find it.

Rabbi Yoḥanan ben Zakkai voided the convert’s obligation to set aside money for a pair of doves. The Gemara asks: If the convert transgressed and ignored the instructions of Rabbi Yoḥanan ben Zakkai and consecrated money for a pair of doves, is it effective? The answer to this question can be inferred from that which Rabbi Shimon said in that same *baraita*: Rabbi Yoḥanan ben Zakkai voided that obligation due to the potential for a mishap. That is to say, from the fact that the potential for a mishap exists, one can infer that if one transgressed and consecrated the money, it is nevertheless consecrated.

Rabbi Yodeh Antodarya^b asked in the presence of Rabbi Yosei: Here in the *baraita* you

Perek VIII Daf 22 Amud b

NOTES

The *halakha* is in accordance with the opinion of Rabbi Shimon – הלכה כרבי שמעון: The Rambam appears to rule like Rabbi Shimon with regard to both first fruits and the quarter-dinar of silver set aside for the convert’s offering. Hence, if one consecrated first fruits in the present day, they are not consecrated at all. Additionally, though one should not consecrate a quarter-dinar of silver for the convert’s offering *ab initio*, if one did, it is consecrated.

HALAKHA

The *halakha* is in accordance with the opinion of Rabbi Shimon – הלכה כרבי שמעון: If one consecrates his shekel for Temple maintenance nowadays, it is consecrated. This is in accordance with Rabbi Shimon, for Rav decided the *halakha* according to Rabbi Shimon’s view (Rambam *Sefer Hafla’a*, *Hilkhot Arakhin VaHaramim* 6:16).

אמר קדשו, והכא את אמר לא קדשו! אמר ליה: תמן לך אין מקדישין לכתחלה – לפי שמצוה להקריב מתרומה חדשה, והיאך היה לה ישנה.

והכא מאי אית לך למימר האי ישנה היא? לגבי הקדשות אחרים וקיננו של גר אינו צריך חדשה, ואם הקדיש – קדוש, ויניחנה עד שיבנה בית המקדש.

שמא יבנה הבית כבראשונה, ותתרם תרומת הלשכה מן החדשה בזמנה באחד בניסן. והכא מאי אית לך?

רב המנונא ורב אדא בר אבהה בשם רב: הלכה כרבי שמעון.

say that the money has been consecrated; and here, in the *baraita* mentioned before, you say that Rabbi Shimon ben Yehuda says in the name of Rabbi Shimon that if one consecrates shekels in the present day, they are not consecrated. He said to him: There, regarding the shekels, one does not consecrate *ab initio* because the mitzva is to bring the communal offerings each year from the new collection of half-shekels, those collected for that year, and these shekels, those consecrated in the present day, will necessarily be from the old collection, whenever the Temple is rebuilt, and as such have no use. For this reason, even if he consecrated shekels, they remain non-sacred.

And here, however, with regard to the convert’s money set aside for his pair of doves, what have you to say? In what sense is this consecrated money old? The disqualification of the old collection only applies to shekels used to purchase communal offerings, and other private consecrated items and a convert’s pair of doves do not need to be purchased from a new collection. Money consecrated now can be used to acquire a convert’s pair of doves. And therefore, if he went ahead and consecrated a quarter-dinar of silver in order to acquire a pair of doves, it is consecrated, and he should set it aside until the Temple is rebuilt.

According to Rabbi Yosei’s reasoning, the shekels are not consecrated because they have no use, as long as the Temple is not rebuilt this year. The Gemara asks: Why are they not consecrated? Perhaps the Temple will be rebuilt again as at first, and the collection of the Temple Treasury chamber will be collected from the new collection in its proper time on the first of Nisan. If that comes to pass, his shekels will be from the current year, and their consecration would have a point. And here too, what have you to say? What are the grounds for a distinction between the convert’s offering whose illicit consecration is effective and the shekels whose illicit consecration is ineffective? The Gemara does not offer an answer.

Apropos the dispute in the mishna about someone who went ahead and consecrated first fruits in the present day, Rav Hamnuna and Rav Adda bar Ahava said in the name of Rav: The *halakha* is in accordance with the opinion of Rabbi Shimon^{NH} that they are not consecrated.

הדרן עלך פרק כל הרוקין וסליקא לה מסכת שקלים