

מסמך גאולה – לְגַאוּלָּה: Some raise the question: As this in no way relates to whether the sequence of four Torah portions should be read in the first Adar or the second Adar, what is the reason for the opinion of Rabban Shimon ben Gamliel? They explain that no special proof was required since three of the four portions relate to Passover: *Shekalim*, because the half-shekel must be collected before the beginning of Nisan; *Para*, because one must undergo purification before the Festival; and *HaHodesh*, to inform the people about the Festival of Passover (see Ritva; *Penei Yehoshua*).

וּרְבֵן שִׁמְעוֹן בֶּן גַּמְלִיאֵל סָבַר: "בְּכָל שָׁנָה וְשָׁנָה, מֵהַ כָּל שָׁנָה וְשָׁנָה אֲדָר הַסְּמוּךְ לְנִסָּן – אִף כִּאֲן אֲדָר הַסְּמוּךְ לְנִסָּן.

And Rabban Shimon ben Gamliel maintains: "In each and every year" teaches that just as each and every year Purim is celebrated in Adar that is adjacent to Nisan, so too here, in an intercalated year, Purim is celebrated during Adar that is adjacent to Nisan.

בְּשִׁלְמָא רַבִּי אֱלִיעֶזֶר בְּרַבִּי יוֹסִי – מִסְתַּבֵּר טַעְמָא. דְּאִין מַעְבִּירִין עַל הַמְצוּת, אֵלֶּא רְבֵן שִׁמְעוֹן בֶּן גַּמְלִיאֵל מֵאִי טַעְמָא?

The Gemara asks: **Granted**, according to **Rabbi Eliezer, son of Rabbi Yosei, the reason for his opinion is logical**, based on the principle that **one does not forego performance of the mitzva**; rather, when presented with the opportunity to perform a mitzva, one should do so immediately. **However**, with regard to **Rabban Shimon ben Gamliel, what is the reason for his opinion?**

אָמַר רַבִּי טַבִּי: טַעְמָא דְּרַבִּי שִׁמְעוֹן בֶּן גַּמְלִיאֵל מִסְמַךְ גַּאוּלָּה לְגַאוּלָּה עֲדִיף.

Rabbi Tavi said: **The reason for the opinion of Rabban Shimon ben Gamliel is that juxtaposing the celebration of one redemption, Purim, to the celebration of another redemption, Passover, is preferable.**

רַבִּי אֱלֶעָזָר אָמַר: טַעְמָא דְּרְבֵן שִׁמְעוֹן בֶּן גַּמְלִיאֵל מֵהַכָּא. דְּכַתִּיב: "לְקַיֵּם אֶת אֲגַרֵּת הַפּוּרִים הַזֹּאת הַשְּׁנִיתָ."

Rabbi Elazar said: **The reason for the opinion of Rabban Shimon ben Gamliel is derived from here, as it is written: "To confirm this second letter of Purim"** (Esther 9:29), indicating that there are circumstances where the Megilla is read a second time (Jerusalem Talmud), i.e., when the year was intercalated after the Megilla was read in the first Adar.

וְאִיצְטְרִיךְ לְמִיכְתָּב

The Gemara comments: **And it was necessary to write**

Perek I

Daf 7 Amud a

"הַשְּׁנִיתָ" וְאִיצְטְרִיךְ לְמִיכְתָּב "בְּכָל שָׁנָה וְשָׁנָה" דְּאִי מִ"בְּכָל שָׁנָה וְשָׁנָה" הוּא אֲמִינָא כִּי קוֹשֵׁי, קָא מְשַׁמַּע לָן: "הַשְּׁנִיתָ" וְאִי אֲשַׁמּוּעִין "הַשְּׁנִיתָ" הוּא אֲמִינָא בְּתַחֲוִילָה בְּרֵאשׁוֹן וּבְשֵׁנִי, קָא מְשַׁמַּע לָן: "בְּכָל שָׁנָה וְשָׁנָה".

the term: **The second, and it was also necessary to write the phrase: In each and every year**; proof from one of the verses would have been insufficient. **As, if I had derived the halakha only from the phrase: In each and every year, I would have said my conclusion according to our question raised earlier: Why not celebrate Purim in the Adar adjacent to Shevat? Therefore, it teaches us using the term: The second. And had it taught us only the term: The second, I would have said that Purim must be celebrated both in the first Adar and in the second Adar, ab initio. Therefore, it teaches us: In each and every year**, indicating that even in an intercalated year, just as in an ordinary year, Purim is to be celebrated only once.

וּרַבִּי אֱלִיעֶזֶר בְּרַבִּי יוֹסִי, הָאִי "הַשְּׁנִיתָ" מֵאִי עָבִיד לִיהָ? מִיבְעִי לִיהָ לְכַדְרָב שְׁמוּאֵל בְּרַי הוֹדָה, דְּאָמַר רַב שְׁמוּאֵל בְּרַי הוֹדָה: בְּתַחֲוִילָה קִבְעוּהָ בְּשׁוֹשָׁן, וּלְבַסּוּף בְּכָל הָעוֹלָם כּוּלוֹ.

The Gemara asks: **And Rabbi Eliezer, son of Rabbi Yosei, what does he do with this term: The second?** Since he holds that the Megilla is read in the first Adar, what does he derive from the verse? The Gemara answers: **He requires the term to derive that statement of Rav Shmuel bar Yehuda, as Rav Shmuel bar Yehuda said: Initially, they established the observance of Purim in the city of Shushan⁸ alone, and ultimately they established it throughout the world, according to the second letter of Purim.**

אָמַר רַב שְׁמוּאֵל בְּרַי הוֹדָה: שְׁלַחָה לָהֶם אֶסְתֵּר לְחַכְמִים: קִבְעוּנִי לְדוֹרוֹת! שְׁלַחוּ לָהּ: קִנְיָא אֶת מְעוֹרֶת עֲלֵינוּ לְבִין הָאוּמוֹת. שְׁלַחָה לָהֶם: כָּבֵד כְּתוּבָה אֲנִי עַל דְּבַרִּי הַיָּמִים לְמַלְכֵי מְדֵי וּפְרָס.

Apropos the statement of Rav Shmuel bar Yehuda with regard to the establishment of the holiday of Purim, the Gemara cites a related statement. **Rav Shmuel bar Yehuda said: Esther sent to the Sages: Establish me for future generations.**^N Esther requested that the observance of Purim and the reading of the Megilla be instituted as an ordinance for all generations. **They sent to her: You will thereby arouse the wrath of the nations upon us**, as the Megilla recounts the victory of the Jews over the gentiles, and it is best not to publicize that victory. **She sent back to them: I am already written in the chronicles of the kings of Media and Persia**, and so the Megilla will not publicize anything that is not already known worldwide.

BACKGROUND

Shushan – שׁוּשָׁן: The city of Shushan, also referred to as Susa, is identified with the contemporary Iranian city of Shush. The palace of Darius the Great was excavated there.



Location of Shush



Ruins of the palace of Darius

NOTES

קִבְעוּנִי לְדוֹרוֹת – Establish me for future generations: Although it was already stated that the Jews accepted upon themselves observance of the days of Purim, that was with regard to feasting and rejoicing. However, they did not want to record the entire story of the miracle (see *Penei Yehoshua*).

Write me for future generations – כתבוננו לדורות: There is an allusion to this in the biblical text itself, as it was stated specifically with regard to the second letter of Purim: “And the commandment of Esther confirmed these matters of Purim, and it was written in the book (Esther 9:32). There was an interval after the first letter was dispatched, which included acceptance of the celebratory aspects of Purim. It was only with the dispatch of the second letter that Esther was included as part of the canon (Rabbi Yoshiya Pinto).

Have I not written for you three times – הלא כתבתי לך – שלשים: The understanding here is according to its plain meaning. Even the wisdom of King Solomon, the wisest of men, warranted only three books in the Bible. Apparently then, although the Scroll of Esther may deserve to be canonized, a fourth mention of Amalek should not be added to the canon (Ritva). The *Penei Yehoshua* writes based on the midrash that the term “three times” in this verse refers to the three sections of the Bible: Torah, Prophets, and Writings. Adding the Scroll of Esther to the canon would be adding a fourth category, as its events took place later than the other books of the Bible. Therefore the Sages sought an allusion to indicate that Esther should be categorized as part of the Writings.

Renders the hands ritually impure – מטמאה את הידים: The Sages issued a decree that sacred scrolls shall render hands impure, according to hands that come into contact with a sacred scroll second degree ritual impurity status. This decree was issued to encourage greater regard for these scrolls by discouraging casual contact with them, as well as to discourage the practice of storing *teruma* with these scrolls, attracting vermin which gnawed and ruined them. The second degree impurity would disqualify the *teruma* and render its consumption prohibited. The Sages said in the mishna (*Yadayim* 4:6): The greater the significance of an item, the greater its impurity.

Esther was said with the inspiration of the Divine Spirit – ברוח הקודש נאמרה: A question is raised: From many of these sources, proof may be adduced that Mordecai was inspired by the Divine Spirit, as he was privy to matters that he could not have otherwise known. However, these sources do not prove that the entire book of Esther was divinely inspired. Some answer that it would have been inappropriate to publicize the Divine Spirit in the book of Esther had the book itself not been divinely inspired (*Ye'arat Devash*).

BACKGROUND

Was stated with the inspiration of the Divine Spirit – ברוח הקודש נאמרה: The books of the Bible are divided into three categories: Torah, written by Moses, who enjoyed a direct relationship with God; Prophets, written by the prophets with prophetic insight; and Writings, which were written with divine inspiration. This latter quality, which is on a level below prophecy, distinguishes the books of the Writings from apocryphal books of wisdom such as the book of Ben Sira, which were not included in the biblical canon.

HALAKHA

What is included in the category of sacred writings – מה נכלל בכתבי הקודש: Five scrolls are included in the twenty-four books of the Bible: The Scroll of Esther and the books of Ruth, Ecclesiastes, Lamentations, and the Song of Songs. All twenty-four books of the Bible, including these *megillot*, have the legal status of sacred scrolls and render the hands impure, in accordance with the opinion of Rabbi Shimon (Rambam *Sefer Tahara, Hilkhot Avot HaTumot* 9:6).

רב ורב חנינא ורבי יוחנן ורב חביבא מתנו: בבבליה סדר מועד כל כי האי זוגא חלופי רבי יוחנן ומעיל רבי יונתן: שלחה להם אסתר לחכמים: כתבוננו לדורות. שלחו לה: הלא כתבתי לך שלשים שלשים ולא רבעים.

עד שמצאו לו מקרא כתוב בתורה: “כתב זאת זכרון בפסר”, “כתב זאת” מה שכתוב כאן ובמשנה תורה, “זכרון” – מה שכתוב בנביאים, “בפסר” – מה שכתוב במגילה.

כתבוננו: “כתב זאת” – מה שכתוב כאן, “זכרון” – מה שכתוב במשנה תורה, “בפסר” – מה שכתוב בנביאים, דברי רבי יהושע. רבי אקעור המודעי אומר: “כתב זאת” – מה שכתוב כאן ובמשנה תורה, “זכרון” – מה שכתוב בנביאים, “בפסר” – מה שכתוב במגילה.

אמר רב יהודה אמר שמואל: אסתר אינה מטמאה את הידים.

למימרא דסבר שמואל אסתר לא ברוח הקודש נאמרה? והאמר שמואל: אסתר ברוח הקודש נאמרה! נאמרה לקרות ולא נאמרה לכתוב.

מיתבי: רבי מאיר אומר: קהלת אינו מטמא את הידים, ומחלוקת בשיר השירים. רבי יוסי אומר: שיר השירים מטמא את הידים, ומחלוקת בקהלת. רבי שמעון אומר: קהלת מקולי בית שמאי ומחומרי בית הלל, אבל רות ושיר השירים ואסתר – מטמאין את הידים! הוא דאמר ברבי יהושע.

It was related that Rav and Rabbi Hanina and Rabbi Yohanan and Rav Haviya taught the statement cited below. The Gemara comments: **Throughout the order of Moed, wherever this latter pair of Sages is mentioned, exchange Rabbi Yohanan and insert Rabbi Yonatan in his place. They said: Esther sent to the Sages: Write me for future generationsⁿ and canonize my book as part of the Bible. They sent to her that it is written: “Have I not written for you three times”ⁿ (Proverbs 22:20), indicating that Israel’s battle with Amalek is to be mentioned three times in the Bible and not four times? Since it is already mentioned three times (Exodus 17:8–16; Deuteronomy 25:17–19; I Samuel 15), there is no need to add a fourth source.**

The Sages did not accede to Esther’s request until they found a verse written in the Torah: “Write this for a memorial in the book, and rehearse it in the ears of Joshua: That I will utterly blot out the remembrance of Amalek from under the heavens” (Exodus 17:14). The Sages interpreted the verse: “Write this,” that which is written in the Torah here in Exodus, and in Deuteronomy; “a memorial,” that which is written in the Prophets, i.e., in I Samuel, on this matter; “in the book,” that which is written in the Megilla. The Megilla is the third mention of Amalek and not the fourth, as both mentions in the Torah pertaining to Amalek are considered one; therefore, Esther would be the third, not the fourth source.

The Gemara comments: This matter is parallel to a dispute between the *tanna'im*, as it was taught in a *baraita*: “Write this,” that which is written here, in the book of Exodus; “a memorial,” that which is written in Deuteronomy; “in the book,” that which is written in the Prophets; this is the statement of Rabbi Yehoshua. Rabbi Elazar HaModa’i disagrees and says: “Write this,” that which is written in the Torah here in Exodus, and in Deuteronomy; “a memorial,” that which is written in the Prophets on this matter; “in the book,” that which is written in the Megilla. Here too, the *tanna'im* disagreed whether or not the book of Esther has the same force and sanctity as that of the canonized books of the Bible.

Rav Yehuda said that Shmuel said: The book of Esther does not render the hands ritually impure.ⁿ Although the Sages issued a decree that sacred scrolls render hands ritually impure, the book of Esther was not accorded the sanctity of sacred scrolls.

The Gemara asks: Is this to say that Shmuel maintains that the book of Esther was not stated with the inspiration of the Divine Spirit? But didn’t Shmuel himself say elsewhere that the book of Esther was stated with the inspiration of the Divine Spirit?^{nB} The Gemara answers: It was stated with the Divine Spirit that it is to be read in public; however, it was not stated that it is to be written. Therefore, the text was not accorded the sanctity of sacred scrolls.

The Gemara raises an objection from a *baraita*. Rabbi Meir says: The book of Ecclesiastes does not render the hands ritually impure, as it was not accorded the sanctity of sacred scrolls; however, there is a dispute with regard to whether or not the Song of Songs renders the hands impure. Rabbi Yosei says: The Song of Songs renders the hands ritually impure, but there is a dispute with regard to the book of Ecclesiastes. Rabbi Shimon says: The ruling with regard to Ecclesiastes is among the leniencies of Beit Shammai and among the stringencies of Beit Hillel, as according to Beit Hillel it renders the hands impure and according to Beit Shammai it does not. However, everyone agrees that the books of Ruth, and the Song of Songs, and Esther render the hands ritually impure, contrary to the opinion of Shmuel. The Gemara answers: It was Shmuel who stated his opinion in accordance with the opinion of Rabbi Yehoshua cited earlier that the book of Esther was not accorded the sanctity of sacred scrolls.ⁿ

תניא, רבי שמעון בן מנסיא אומר: קהלת אינו מטמא את הידים, מפני שחכמתו של שלמה היא. אמרו לו: וכי זו בלבד אמר? והלא כבר נאמר: "וידבר שלשת אלפים משל" ואומר: "אל תוסף על דבריו".

מאי ואומר? וכי תימא: מימר – טובא אמר, דאי בעי – איכתוב ודאי בעי לא איכתוב. תא שמע "אל תוסף על דבריו".

תניא, רבי אליעזר אומר: אסתר ברוח הקודש נאמרה, שנאמר: "ויאמר המן בלבו". רבי עקיבא אומר: אסתר ברוח הקודש נאמרה, שנאמר: "ותהי אסתר נשאת חן בעיני כל רואיה".

רבי מאיר אומר: אסתר ברוח הקודש נאמרה, שנאמר: "ויודע הדבר למרדכי". רבי יוסי בן דורמסקית אומר: אסתר ברוח הקודש נאמרה, שנאמר: "ובבזה לא שלחו את ידם".

אמר שמואל: אי הואי התם הוה אמינא מלתא דעדפא מבוליהו, שנאמר: "קימו וקבלו" קימו למעלה מה שקיבלו למטה.

אמר רבא: לכולהו אית להו פירכא, לבר מדשמואל דלית ליה פירכא. דרבי אליעזר – סברא הוא, דלא הוה איניש דחשיב למלכא כוותיה, והאי כי קא מפיש טובא ואמר – אדעתיה דנפשיה קאמר.

דרבי עקיבא – דלמא ברבי אלעזר דאמר: מלמד שכל אחד ואחד נדמתה לו כאומתו.

והא דרבי מאיר – דלמא ברבי חייא בר אבא, דאמר: בגתן ותרש שני טרשיים היו.

It is taught in a *baraita*: Rabbi Shimon ben Menasya says: The book of Ecclesiastes does not render the hands ritually impure because it is the wisdom of Solomon, and not divinely inspired. They said to him: It was certainly divinely inspired and that is the reason that the book of Ecclesiastes was added to the canon; as was it this alone that Solomon said? Wasn't it already stated: "And he spoke three thousand proverbs, and his poems were a thousand and five" (1 Kings 5:12)? Solomon spoke many proverbs, but only a portion of them were canonized in the Bible. Apparently, what is unique about those in Ecclesiastes is that they were divinely inspired. And it says: "Add you not unto his words" (Proverbs 30:6).

The Gemara asks: What is added by the proof introduced with the phrase: And it says? Why wasn't the first proof sufficient? The Gemara answers: And if you would say that in terms of what he said, he said a great deal, with regard to which, if he so desired, it was written, and if he so desired, it was not written; then that is why not all of his statements were preserved. Therefore, come and hear: Add you not unto his words. Apparently, the reason that it is prohibited to add to the proverbs is that the book of Ecclesiastes was divinely inspired.

It is taught in a *baraita* that Rabbi Eliezer says: The book of Esther was said with the inspiration of the Divine Spirit, as it is stated: "And Haman thought in his heart" (Esther 6:6). If the book of Esther was not divinely inspired, how was it known what Haman thought in his heart? Rabbi Akiva says: The book of Esther was said with the inspiration of the Divine Spirit, as it is stated: "And Esther obtained favor in the sight of all those who looked upon her" (Esther 2:15); this could have been known only through divine inspiration.

Rabbi Meir says: The book of Esther was said with the inspiration of the Divine Spirit, as it is stated with regard to the conspiracy of Bigtan and Teresh against Ahasuerus: "And the thing became known to Mordecai" (Esther 2:22). This too could have been known only through divine inspiration. Rabbi Yosei ben Durmaskit says: The book of Esther was said with the inspiration of the Divine Spirit, as it is stated: "But they did not lay their hands on the plunder" (Esther 9:15). The only way that could have been stated with certainty is through divine inspiration.

Shmuel said: Had I been there among the *tanna'im*, I would have stated a matter that is superior to them all, as it is stated: "They confirmed, and took upon themselves" (Esther 9:27), which was interpreted to mean: They confirmed above in heaven what they took upon themselves below on earth. Clearly, it is only through divine inspiration that this could have been ascertained.

Rava said: There is a refutation for all of these proofs, except for the proof cited by Shmuel, for which there is no refutation. The Gemara elaborates. That which Rabbi Eliezer said with regard to knowledge of what Haman was thinking in his heart can be refuted, as it is based on logical reasoning to conclude that this was his thinking. There was no other person as important to the king as he was; and the fact is that when he elaborated extensively and said: "Let the royal apparel be brought" (Esther 6:8), he said it with himself in mind.

That which Rabbi Akiva said with regard to the knowledge that Esther found favor in the eyes of all, perhaps it can be understood and refuted in accordance with the opinion of Rabbi Elazar, who said: This teaches that she appeared to each and every one as one of his nation, and they expressed that sentiment aloud.

And that which Rabbi Meir said, i.e., that the divine inspiration of the book of Esther is clear from the fact that Mordecai exposed the conspiracy against Ahasuerus, perhaps this can be explained and refuted in accordance with the opinion of Rabbi Hiyya bar Abba, who said: Bigtan and Teresh were both members of the Tarsi people¹ and conversed in their own language. Mordecai, who was a member of the Sanhedrin and therefore fluent in many languages, understood what they were saying.

LANGUAGE

Tarsi people – טרשיים: This refers to people from the city of Tarsus, Ταρσός, in Asia Minor.

וְהָא דְרַבִּי יוֹסֵי בֶן דוּרְמַסְקִית – דְּלִמָּא פְּרִי־סַתְקֵי שְׂדוּר. דְּשִׁמוּאֵל וְדָאִי לִית לֵיהּ פִּירְכָּא. אָמַר רַבִּינָא: הֵינּוּ דְאָמְרֵי אֵינְשֵׁי: טְבָא חָדָא פְּלִפְלֵתָא חֲרִיפְתָּא מִמְּלֵי צִנֵּי קָרִי.

And that which Rabbi Yosef ben Durmaskit said with regard to the knowledge that no spoils were taken, perhaps this can be explained and refuted by the fact that they dispatched messengers who informed them of the situation. However, with regard to Shmuel's proof from the fact that they confirmed above what they took upon themselves below, there is certainly no refutation. Ravina said: This explains the folk saying that people say: One sharp pepper is betterⁿ than a basketful of pumpkins, as the quality of the pepper's taste is more significant than the quantity of the pumpkins.

רַב יוֹסֵף אָמַר, מִהֶכָּא: "וַיְמִי הַפּוּרִים הָאֵלֶּה לֹא יַעֲבֹרוּ מִתּוֹךְ הַיְהוּדִים." רַב נַחֲמָן בַּר יִצְחָק אָמַר, מִהֶכָּא: "וְזָכְרָם לֹא יִסּוּף מִזְרָעָם".

Rav Yosef said: Proof that the book of Esther was divinely inspired may be cited from here: "And these days of Purimⁿ shall not cease from among the Jews" (Esther 9:28), an assertion that could have been made only with divine inspiration. Rav Nahman bar Yitzhak says: Proof may be cited from here, at the end of that verse: "Nor the memorial of them perish from their seed" (Esther 9:28).

"וּמִתְּנוּת לְאֲבִיוָנִים": תַּנִּי רַב יוֹסֵף: "וּמְשֻׁלוֹת מְנוֹת אִישׁ לְרֵעֵהוּ" – שְׁתֵּי מְנוֹת לְאִישׁ אֶחָד. "וּמִתְּנוּת לְאֲבִיוָנִים" – שְׁתֵּי מִתְּנוּת לְשְׁנֵי בְּנֵי אָדָם.

The mishna mentions: And gifts distributed to the poor. Rav Yosef taught a *baraita* that the verse states: "And of sending portions one to another" (Esther 9:22), indicating two portions to one person.^h The verse continues: "And gifts to the poor"^h (Esther 9:22), indicating two gifts to two people.ⁿ

רַבִּי יְהוּדָה נִשְׂיָאָה שְׂדֵר לֵיהּ לְרַבִּי אוֹשְׁיָא אֶטְמָא דְעִיגְלָא תְּלִיתָא וְגַרְבָּא דְחַמְרָא, שְׁלַח לֵיהּ:

The Gemara relates that, on Purim, Rabbi Yehuda Nesia sent to Rabbi Oshaya the leg of a third-born calf and a jug of wine. Rabbi Oshaya sent him a message of gratitude:

NOTES

One sharp pepper is better – טְבָא חָדָא פְּלִפְלֵתָא: It is explained in the *Arukh* that pepper, although it is small, is spicy and preferable to the relatively bland pumpkin. Likewise, although Shmuel was an *amora*, whose standing is less significant than the *tanna'im* who discussed this matter, his statement is more reasonable.

upon themselves to remember the days of Purim. Therefore, Rav Yosef cites the pronouncement in the second part of that verse: "Nor the memorial of them perish from their seed," which was stated with divine inspiration.

And these days of Purim – וַיְמִי הַפּוּרִים הָאֵלֶּה: See *Tosafot*, who explain what Rav Nahman added to the source cited by Rav Yosef. Some explain that, from the first part of the verse cited by Rav Nahman, it can be determined only that the Jews took

Portions and gifts – מְנוֹת וּמִתְּנוּת: The early authorities wrote that the obligation to give two portions applies only if the recipient is a person of means, so that he will appreciate that it is a significant gift. However, one is required to give only one portion to a poor person, for whom even one portion is significant.

HALAKHA

Sending portions – מְשֻׁלוֹת מְנוֹת: Every person is obligated to send two portions of food or drink to another person. They must be different types of food. Merely giving a quarter-*log* of drink or an olive-bulk of food is insufficient; rather, it is appropriate to give generous portions. Women are obligated in sending portions just as men are. It is appropriate for a woman to give to a woman and for a man to give to a man (*Rema*). It is permitted to send money and other non-food items if they can be used on that day to purchase components of the festive meal. Some maintain that even in this case, one fulfills his obligation only with food. Even one who is dependent on another for sustenance, although he is not obligated, should fulfill the mitzva and send portions to another person (*Magen Avraham*). This mitzva is fulfilled during the day of Purim and not at night. It

is appropriate to send the portions with a messenger both to display deference to the mitzva and to fulfill the literal meaning of the verse, which uses the term: Sending portions (*Shulhan Arukh, Oraḥ Hayyim 695:4*).

Gifts to the poor – מִתְּנוּת לְאֲבִיוָנִים: Every person is obligated on Purim to give at least two gifts to two poor people, one gift to each. One fulfills his obligation with a gift worth a *peruta*. One must give the gifts with his own money, although he may add from the money that he tithes for charity (*Magen Avraham*, citing the *Maharil*). It is appropriate to give the money on the day of Purim, enabling the poor person to use it on Purim. The *Rambam* writes that it is preferable to give additional gifts to the poor than to send additional portions (*Shulhan Arukh, Oraḥ Hayyim 694:1*).

קיימת בנו רבינו "ומשלוח מנות איש לרעהו ומתנות לאביונים".

רבה שדר ליה למרי בר מר ביד אבי מלא טסקא דקשבא, ומלי פסא קמחא דאבשונא. אמר ליה אבי: השתא אמר מרי: אי חקלאה מלפא ליהוי – דיקולא מצואריה לא נחית.

הדר שדר ליה איהו מלא טסקא דונגבילא, ומלא כסא דפללתא אריכא. אמר אבי: השתא אמר מר: אנא שדרי ליה חוליא ואיהו שדר לי חורפא.

אמר אבי: כי נפקי מבי מר הוה שבנא, כי מטאי להתם קריבו לי שיתין צעי דשיתין מיני קדירה, ואכלי בהו שיתין פלוגי. ובישולא בתרייתא הוה קרו ליה צלי קדר, ובעאי למיכס צעא אבתרה.

אמר אבי: היינו דאמרי אינשי: כמין עניא ולא ידע. אי נמי: רווחא לבסימא שכית.

אבי בר אבין ורבי חננא בר אבין מחלפי סעודתייהו להדדי.

אמר רבא: מתייב אינש לבסומי בפוראי עד דלא ידע בין ארוז המן לברוך מרדכי.

You have fulfilled two mitzvot through us,^N our teacher: The mitzva of: “And sending portions one to another,” and the mitzva of: “And gifts to the poor,” as Rabbi Oshaya was poor and this was a substantial gift.

The Gemara relates that Rabba sent Purim portions from the house of the Exilarch to Marei bar Mar^N in the hands of Abaye, who was his nephew and student. The Purim portions consisted of a sack [taska]^L full of dates [kashva]^L and a cupful of roasted flour [kimha de'avshuna].^L Abaye said to him: Now, Mari will say the popular expression: Even if a farmer becomes the king, the basket does not descend from his neck. Rabba was named the head of the yeshiva in Pumbedita, and nevertheless, he continued to send very plain gifts, because he was impoverished.

Marei bar Mar sent back to him a sack full of ginger and a cupful of long peppers [pilpalta arikha],^{LB} a much more expensive gift. Abaye said to him: The master, Rabba, will now say: I sent him sweet items and he sent me pungent ones.

In describing that same incident, Abaye said: When I left the house of the master, Rabba, to go to Marei bar Mar, I was already satiated. However, when I arrived there at Marei bar Mar's house, they served me sixty plates of sixty kinds of cooked dishes, and I ate sixty portions from each of them. The last dish was called pot roast,^B and I was still so hungry that I wanted to chew the plate afterward.

And in continuation Abaye said: This explains the folk saying that people say: The poor man is hungry and does not know it, as Abaye was unaware how hungry he had been in his master's house. Alternatively, there is another appropriate, popular expression: Room in the stomach for sweets can always be found.

The Gemara relates that Abaye bar Avin and Rabbi Hanina bar Avin would exchange their meals^{HN} with each other to fulfill their obligation of sending portions on Purim.

Rava said: A person is obligated to become intoxicated^{HN} with wine on Purim until he is so intoxicated that he does not know how to distinguish between cursed is Haman and blessed is Mordecai.

LANGUAGE

Sack [taska] – טסקא: From the late Latin tassa or tasca, meaning small bag or basket.

Dates [kashva] – קשבא: From the Arabic قسب, qasb, meaning dates.

Roasted flour [kimha de'avshuna] – קמחא דאבשונא: The etymology of the word avshuna is unknown. According to Rashi and other commentaries, the term refers to dry, roasted grain. The ge'onim disagree and explain that it refers to moist grain or barley.

Long pepper [pilpalta arikha] – פלפלתא אריכא: From the Sanskrit pippali. It was adopted, with variations, by many other languages.

BACKGROUND

Ginger and peppers – נגביל ופלפל: These spices are extracted from plants that grow in Southeast Asia, South India, and Indonesia. They were greatly valued in ancient times, and due to the need to transport them over great distances, their price was very high.

Pot roast – צלי קדר: The Arukh explains that pot roast is meat that is roasted without water, inside a pot, in a manner similar to frying.

HALAKHA

Would exchange their meals – מחלפי סעודתייהו: One who lacks the means to send portions to another may share a meal with another, and thereby, they both fulfill their obligation (Shulhan Arukh, Orah Hayyim 695:4).

A person is obligated to become intoxicated – מתייב אינש: One is obligated to become intoxicated on Purim until he is unable to distinguish between: Cursed is Haman, and: Blessed is Mordecai, in accordance with the opinion of Rava. Some maintain that in the wake of the incident involving Rava and Rabbi Zeira, the halakha is no longer in accordance with Rava's opinion, and one drinks only a bit more than he is accustomed to drink (Taz, citing the Beit Yosef; Rabbeinu Ephraim). Some maintain that one should drink until he falls asleep, at which point he will no longer be able to distinguish between Haman and Mordecai (Peri Megadim; Rambam). If one damages another in the course of the Purim festivities, some hold that he is exempt from the obligation to pay (Rema). If the damages are substantial, the custom is not to exempt him (Mishna Berura; Shulhan Arukh, Orah Hayyim 695:2).

NOTES

Fulfilled through us – קיימת בנו: In the Jerusalem Talmud and the She'iltot, a variant reading of the incident is cited. First Rabbi Yehuda Nesia sent a small gift, and Rabbi Oshaya responded that he fulfilled the mitzva: “And gifts to the poor.” Therefore, he sent a more substantial gift, and Rabbi Oshaya responded that now he had fulfilled: “And sending portions one to another,” i.e., a gift that one sends to another who is his equal. Some explain according to Rashi's reading that this incident comes to teach that one can fulfill both mitzvot by giving to one person (Turei Even). Others learn from here that wine, and not only food, is also considered a portion (Peri Hadash).

Rabba sent to Marei bar Mar – רבה שדר ליה למרי בר מר: See the Re'ah Duda'im, which elaborates and explains in detail that this story is not merely a series of lighthearted comments but also teaches several practical halakhot concerning the sending of portions on Purim.

Would exchange their meals – מחלפי סעודתייהו: The Ran explains simply that the two sons of Rav Avin were poor, and consequently they fulfilled their obligations by exchanging meals. Many later authorities explain that, according to the opinion of Rashi, by eating the Purim feast together they enhanced the joy of Purim.

A person is obligated to become intoxicated – מתייב אינש: There are many different explanations for this halakha. The Rambam explains that one must drink until he falls asleep from the wine and will then be unable to differentiate between Haman and Mordecai (see Orah Halakha). Tosafot, based on the Jerusalem Talmud, explains that after reading the Megilla, it was customary to recite several passages relating to the characters mentioned in it, and some say that an entire poem was read (Rashash). A person will be unable to recite these texts correctly if he is intoxicated; or he will confuse

male and female and singular and plural formulations (Re'ah Duda'im). The Rema MiPano explains that one will be unable to distinguish between: Cursed is Haman, and: Blessed is Mordecai, when he hears it.

There are several other explanations for this obligation. One is that because the numerical value is equal for the Hebrew terms: Cursed is Haman, and: Blessed is Mordecai, and one is required to drink only until he can no longer make that calculation (Aguda; Rav Ya'akov Weil). Another explanation is that this is an allusion to the fact that one should drink until he is unable to distinguish even between diametric opposites. Yet another opinion is that one should drink until he forgets his troubles and the hatred that exists between people, so that it is as if the rancor and struggles between Haman and Mordecai are forgotten as well.

Slaughtered Rabbi Zeira – שחטיה לרבי זיגרא: Both early and later commentaries wonder about this incident. Some explain that slaughtered [*shekhatei*] in this case should be read as squeezed [*sakhtei*]: In his joy, Rava embraced Rabbi Zeira so powerfully that he fainted (Meiri; *Orah Halakha*). The Maharsha explains that Rava forced Rabbi Zeira to drink excessively until he became weak and fainted.

The difference between Festivals and Shabbat is only – אין בין יום טוב לשבת אלא: In the Jerusalem Talmud, the question is raised: Aren't there many additional differences between Festivals and Shabbat, e.g., carrying out, as well as several rabbinic prohibitions? The Rambam, in his Commentary on the Mishna in tractate *Beitza*, points out that the Gemara already established that this mishna is according to Beit Shammai, and is therefore not in accordance with the *halakha*. However, the Rashba writes that the mishna can be explained even according to Beit Hillel. Despite the formulation: The difference is only, this mishna and those that follow do not presume to define all the differences between the entities being compared. Rather, the comparison is concerning a specific aspect, and the distinction cited is in accordance with the *halakha*.

רבה ורבי זיגרא עבדו סעודת פורים בהדי הדדי, איפסוס, קם רבה שחטיה לרבי זיגרא. למחר בעי רחמי ואחיייה. לשנה אמר ליה: ניתי מר ונעבידי סעודת פורים בהדי הדדי! אמר ליה: לא בכל שעתא ושעתא מתרחיש ניפסא.

אמר רבא: סעודת פורים שאכלה בלילה לא יצא ידי חובתו, מאי טעמא – "ימי משתה ושמחה" בתיב. רב אשי הוה יתיב קמיה (דרב כהנא) נגה ולא אתו רבנן. אמר ליה: מאי טעמא לא אתו רבנן – דלמא טרידי בסעודת פורים – אמר ליה: ולא הוה אפשר למיכלה באורתא? אמר ליה: לא שמיע ליה למר הא דאמר רבא: סעודת פורים שאכלה בלילה לא יצא ידי חובתו. אמר ליה: (אמר רבא הכי) [אמר ליה אין] תנא מיניה ארבעין זימנן, ודמי ליה כמאן דמנח בכיסיה:

מתני' אין בין יום טוב לשבת אלא אוכל נפש בלבד.

גמ' הא לענן מכשירי אוכל נפש – זה וזה שוין.

מתניתין דלא פריי יהודה, דתנא: אין בין יום טוב לשבת אלא אוכל נפש, רבי יהודה מתיר אף מכשירי אוכל נפש.

מאי טעמא דתנא קמא – אמר קרא: "הוא" – ולא מכשיריו, ורבי יהודה (אמר) "לכם" – לכם לכל צורכיכם.

The Gemara relates that Rabba and Rabbi Zeira prepared a Purim feast with each other, and they became intoxicated to the point that Rabba arose and slaughtered Rabbi Zeira.^N The next day, when he became sober and realized what he had done, Rabba asked God for mercy, and revived him. The next year, Rabba said to Rabbi Zeira: Let the Master come and let us prepare the Purim feast with each other. He said to him: Miracles do not happen each and every hour, and I do not want to undergo that experience again.

Rava said: A Purim feast^H that one ate at night did not fulfill his obligation. What is the reason? "Days of feasting and gladness" (Esther 9:22) is written, i.e., days and not nights. The Gemara relates: Rav Ashi was sitting before Rav Kahana his teacher on Purim, and it grew dark and the Sages who usually came to study with him did not come. Rav Ashi said to him: What is the reason that the Sages did not come today? Rav Kahana answered: Perhaps they are preoccupied with the Purim feast. Rav Ashi said to him: Wasn't it possible for them to eat the feast at night on Purim, instead of being derelict in their Torah study on Purim day? Rav Kahana said to him: Didn't the master learn that which Rava said: A Purim feast that one ate at night did not fulfill his obligation? Rav Ashi said to him: Did Rava say that? Rav Kahana said to him: Yes. Rav Ashi then learned it from him forty times until he remembered it so well that it seemed to him as if it were placed in his purse.

MISHNA The previous mishna concluded with the formula: The difference between ... is only, thereby distinguishing between the *halakhot* in two different cases. The following *mishnayot* employ the same formula and distinguish between the *halakhot* in cases unrelated to Purim and the Megilla. The first is: **The difference between Festivals and Shabbat^H** with regard to the labor prohibited on those days is **only^N in preparing food alone**. It is permitted to cook and bake in order to prepare food on Festivals; however, on Shabbat it is prohibited.

GEMARA The Gemara infers that with regard to the matter of actions that facilitate preparation of food, e.g., sharpening a knife for slaughter, this, Shabbat, and that, Festivals, are equal, in that actions that facilitate preparation of food are prohibited.

The Gemara comments: If so, the mishna is not in accordance with the opinion of Rabbi Yehuda, as it is taught in a *baraita*: **The difference between Festivals and Shabbat is only is preparing food. Rabbi Yehuda permits even actions that facilitate preparation of food on Festivals.**

The Gemara elaborates. **What is the reason for the opinion of the first tanna?** It is as the verse states: "Except that which every person must eat, only that may be done for you" (Exodus 12:16). "That" is permitted, and not actions that facilitate it. **And Rabbi Yehuda says: "For you" means for you, for all your needs.**

HALAKHA

Purim feast – סעודת פורים: The Purim feast must be eaten on the day of Purim. In accordance with the opinion of Rava, if one eats it at night, he did not fulfill his obligation. The custom is to eat the Purim feast after the afternoon prayer; however, it is appropriate that most of the feast be eaten before nightfall. If Purim occurs on Friday, one eats the Purim feast in the morning. Some hold that the feast should always be before the afternoon prayer (*Shenei Luhot HaBerit; Shulhan Arukh, Orah Hayyim 695:1*).

The difference between Festivals and Shabbat is only, etc. – אין בין יום טוב לשבת אלא אוכל נפש: All labor prohibited on Shabbat is prohibited on Festivals, except for labor performed in the preparation of food. Likewise, in accordance with the opinion

of Rabbi Yehuda in tractate *Beitza*, it is permitted to perform labor that facilitates the preparation of food, provided that it was not possible to attend to it prior to the Festival. Some prohibit even the preparation of food itself if the taste of the food is not diminished by preparation prior to the Festival (*Eliya Rabba; Peri Hadash*), and this is the custom. Nevertheless, if for some reason one failed to perform the labor prior to the Festival and he needs the food on the Festival, the labor is permitted but must be performed in a different manner than it is typically performed (Rema). If he failed to prepare the food before the Festival due to circumstances beyond his control, he may prepare the food on the Festival in the typical manner (*Shulhan Arukh HaRav; Shulhan Arukh, Orah Hayyim 495:1*).

Is liable to receive the death penalty – מתחייב בנפשו – As a rule, one is not liable to receive two punishments for two transgressions violated simultaneously. The principle is: One is liable to receive the greater punishment. There is an additional principle that in the case of a prohibition punishable by death, even if the punishment is not implemented due to lack of testimony or forewarning, the mere fact that the prohibition is associated with the stringent punishment exempts one who violated it from any lesser punishment. The dispute here is with regard to *karet*. Because it is not a punishment administered by the court, perhaps these principles do not apply.

HALAKHA

For you and not for gentiles, for you and not for dogs – לָכֶם וְלֹא לְגוֹיִם, לָכֶם וְלֹא לְלִבְיִים: It is prohibited to perform labor on Festivals, even labor performed in the preparation of food, for the benefit of a gentile. One may not perform labor on a Festival to prepare food for an animal (*Shulhan Arukh, Orach Hayyim* 512:1, 3).

Shabbat and Yom Kippur – שַׁבָּת וְיוֹם הַכִּפּוּרִים: For all labors for which one is liable to be stoned on Shabbat, one is liable to receive *karet* on Yom Kippur. All actions prohibited by rabbinic law on Shabbat are similarly prohibited on Yom Kippur, although one who performs them is exempt from punishment. There is an additional difference between labor performed on Shabbat and labor performed on Yom Kippur with regard to damage caused to the property of another while performing a prohibited labor, e.g., burning another's field. On Yom Kippur, he is obligated to pay for the damage; and on Shabbat, he is exempt, as the *halakha* is ruled contrary to the opinion of Rabbi Neḥunya ben HaKana, who rules that he is exempt from payment on Yom Kippur as well (*Magen Avraham; Shulhan Arukh, Orach Hayyim* 611:2).

Those liable to receive *karet* who were flogged – חַיִּיבֵי חֲרִיתוֹת שְׁלֵקוּ: All who violated prohibitions and were flogged are rehabilitated. Similarly, one who is liable to receive *karet* and was flogged is exempt from the punishment of *karet*, in accordance with the opinion of Rav Ḥanania ben Gamliel (*Rambam Sefer Shofetim, Hilkhot Sanhedrin* 17:7).

BACKGROUND

***Karet* – כָּרַת** – *Karet* is a divine punishment administered for serious transgressions. The commentaries dispute its precise parameters. Among the characteristics of *karet* are: Premature or sudden death, no children or death of one's children, excision of the soul from the World-to-Come. In tractate *Karetot*, thirty-six transgressions punishable with *karet* are enumerated. All are prohibitions, with the exception of two: Failure to sacrifice the Paschal lamb and failure to perform circumcision. *Karet* is administered only to one who commits a transgression intentionally. In many cases, if the transgression was committed in the presence of witnesses, the transgressor is subject to execution administered by the court, or to lashes. Anyone who violates one of the prohibitions punishable by *karet* unwittingly is liable to bring a sin-offering as atonement.

וְאִידֶךָ נְמִי הַכְּתִיב "לָכֶם!" לָכֶם וְלֹא לְגוֹיִם, לָכֶם וְלֹא לְלִבְיִים.

The Gemara asks: **And for the other**, first, *tanna* too, isn't it written: **"For you"?** The Gemara answers: He infers: **For you, and not for gentiles; for you, and not for dogs.**^h It is forbidden to perform labors for the sake of gentiles, or for animals, even if it is to feed them.

וְאִידֶךָ נְמִי הָא כְּתִיב "הוּא" כְּתִיב "הוּא" וְכְתִיב "לָכֶם", כָּאֵן – בְּמִכְשָׁרֵינִי שְׂאֵפְשֵׁר לַעֲשׂוֹת מַעֲרָב יוֹם טוֹב, כָּאֵן – בְּמִכְשָׁרֵינִי שְׂאֵי אֶפְשֵׁר לַעֲשׂוֹת מַעֲרָב יוֹם טוֹב:

The Gemara asks further: **And for the other *tanna*, Rabbi Yehuda, too, isn't it written: "That,"** which is a restrictive term that limits the application of a particular *halakha*? The Gemara answers: **It is written: "That,"** which is restrictive, **and it is written: "For you,"** which is inclusive. Rabbi Yehuda resolves the conflict between the two: **Here**, the word: "That," is referring to actions that facilitate, in which it is possible to perform them on the Festival eve but which are prohibited on the Festival; **there**, the phrase: "For you," is referring to actions that facilitate, in which it is impossible to perform them on the Festival eve and which are permitted even on the Festival.

מתני' אין בין שבת ליום הכפורים אלא שזה ודונו בידי אדם וזה ודונו בכרת:

MISHNA The difference between Shabbat and Yom Kippur with regard to the labor prohibited on those days is **only that in this case**, i.e., Shabbat, **its intentional desecration is punishable at the hand of Man**, as he is stoned by a court based on the testimony of witnesses who forewarned the transgressor; **and in that case**, i.e., Yom Kippur, **its intentional desecration is punishable at the hand of God, with *karet*.**^{hB}

גמ' הא לענין תשלומין – זה וזה שוין.

GEMARA The Gemara infers **that with regard to the matter of payment of damages, both this, Shabbat, and that, Yom Kippur, are equal** in that one is exempt in both cases. If one performs an action on Shabbat that entails both a prohibited labor and damage to another's property, since his transgression is punishable by death, he is exempt from paying damages. Apparently, according to the mishna, the same *halakha* applies to Yom Kippur.

מִנִּי מִתְנַתֵּן – רַבִּי נְחוּנְיָא בֶּן הַקָּנָה הֵיא. דְּתַנָּא. רַבִּי נְחוּנְיָא בֶּן הַקָּנָה הֵיָה עוֹשֶׂה אֶת יוֹם הַכִּפּוּרִים כְּשַׁבָּת לְתַשְׁלוּמִין. מֵה שַׁבָּת מִתְחַיֵּב בְּנַפְשׁוֹ וּפְטוּר מִן הַתַּשְׁלוּמִין – אִף יוֹם הַכִּפּוּרִים מִתְחַיֵּב בְּנַפְשׁוֹ וּפְטוּר מִן הַתַּשְׁלוּמִין.

The Gemara asks: According to **whose opinion is the mishna taught?** The Gemara answers: **It is according to the opinion of Rabbi Neḥunya ben HaKana,**^p **as it is taught in a *baraita*: Rabbi Neḥunya ben HaKana would render Yom Kippur like Shabbat with regard to payment of damages. Just as in the case of one who intentionally desecrates Shabbat he is liable to receive the death penaltyⁿ and is therefore exempt from the obligation of payment of damages caused while desecrating Shabbat, so too, in the case of one who intentionally desecrates Yom Kippur, he is liable to receive the death penalty and is therefore exempt from the obligation of payment of damages caused while desecrating Yom Kippur.**

תַּנְן הֵתָם: כָּל חַיִּיבֵי חֲרִיתוֹת שְׁלֵקוּ נִפְטָרוּ מִיְדֵי חֲרִיתָתָן, שְׁנֵאמַר: "וְנִקְלָה אַחֲרֶיךָ לְעֵינֶיךָ" – כִּיִּן שְׁלָקָה הָרִי הוּא כְּאַחֲרֶיךָ, דְּבָרֵי רַבִּי חֲנַנְיָה בֶּן גַּמְלִיאֵל. אִמַּר רַבִּי יוֹחָנָן: חֲלוּקִין עָלָיו חֲבֵירָיו עַל רַבִּי חֲנַנְיָה בֶּן גַּמְלִיאֵל.

We learned there in a mishna (*Makkot* 23a): **All those liable to receive *karet* who were flogged^h in court were exempted from their *karet*, which is imposed by heaven.** Most transgressors are liable to receive *karet* for violating prohibitions that are punishable by flogging. If they are flogged, they are exempt from *karet*, **as it is stated with regard to one liable to receive lashes: "Then your brother shall be dishonored before you"** (Deuteronomy 25:3), indicating that **once he was flogged he is like your brother**, and his sins have been pardoned; this is **the statement of Rabbi Ḥanania ben Gamliel. Rabbi Yoḥanan said: Rabbi Ḥanania ben Gamliel's colleagues disagree with him on this issue.**

PERSONALITIES

Rabbi Neḥunya ben HaKana – רַבִּי נְחוּנְיָא בֶּן הַקָּנָה: Rabbi Neḥunya ben HaKana was a *tanna* during the generation when the Second Temple was destroyed. It is possible that he is the same *tanna* occasionally referred to as Rabbi Neḥunya the Great. Apparently, he had a close relationship with the students of Rabban Yoḥanan ben Zakkai.

Few of Rabbi Neḥunya ben HaKana's halakhic statements were preserved; however, several aggadic statements are cited in his name. The prayer that he recited upon entering the study hall (*Berakhot* 28b) is widely known. Later in this

tractate (28a) his positive attributes and his modesty are recounted. Rabbi Neḥunya is credited with development of the hermeneutical method of generalization and detail, and it is generally attributed to Rabbi Yishmael, his most prominent student. Authorship of *Sefer HaBahir*, a kabbalistic midrash, is also attributed to him, as is the prayer: Please, with the might [*ana bekhō'ah*].

Kana is the name of a city in the tribal territory of Asher (*Joshua* 19:28). Perhaps his title is attributable to the place where he lived.

NOTES

And why was *karet* administered to one's sister excluded – ולמה יצאת כרת באחותו: The principle here is: A matter that was included in a generalization but was explicitly excluded in order to teach a *halakha*, was not excluded to teach only concerning the specific matter at hand; it was rather excluded in order to teach concerning an entire generalization. In other words, an exception written with regard to one detail applies to the entire generalization. See *Tosafot*, who explain this slightly differently.

אמר רבא: אמרי בי רב: תנינא אין בין יום הכפורים לשבת אלא שזה זדונו בידי אדם וזה זדונו בהיכרת. ואם איתא – אידי ואידי בידי אדם היא!

אמר רב נחמן: הא מני – רבי יצחק היא, דאמר: מלקות בחייבי כריתות ליכא. דתניא, רבי יצחק אומר: חייבי כריתות בכלל היו, ולמה יצאת כרת באחותו – לדונה בכרת ולא במלקות.

רב אשי אמר: אפילו תימא רבנן, זה – עיקר זדונו בידי אדם, וזה – עיקר זדונו בהיכרת.

Rava said that the Sages of the school of Rav said: We learned: The difference between Yom Kippur and Shabbat is only that in this case, Shabbat, its intentional desecration is punishable at the hand of Man; and in that case, Yom Kippur, its intentional desecration is punishable with *karet*. And if the statement of Rabbi Hananya ben Gamliel is so, in both this case, Shabbat, and that case, Yom Kippur, the punishment is at the hand of Man.

Rav Nahman said: There is no proof from here that Rabbi Hananya ben Gamliel's colleagues disagree with him, as in accordance with whose opinion is this mishna taught? It is according to the opinion of Rabbi Yitzhak, who said: There are no lashes in cases of those liable to receive *karet*, as it is taught in a *baraita* that Rabbi Yitzhak says: All those liable to receive *karet* in cases of incest were included in the principle: "For whoever shall commit any of these abominations, even the persons that commit them shall be cut off from among their people" (Leviticus 18:29). And why was *karet* administered to one's sister excluded^N from this verse and mentioned independently (Leviticus 20:17)? It is to sentence her to the punishment of *karet* and not to the punishment of lashes. This serves as a paradigm; wherever one is liable to receive *karet*, there are no lashes.

Rav Ashi said: Even if you say that the mishna is according to the opinion of the Rabbis who disagree with Rabbi Yitzhak and hold that there are lashes even in cases where there is liability for *karet*, there is no proof that Rabbi Hananya ben Gamliel's colleagues disagree with him. The mishna can be understood as follows: In this case, Shabbat, the primary punishment for its intentional desecration is at the hand of Man; and in that case, Yom Kippur, the primary punishment for its intentional desecration is with *karet*. If, however, he was flogged, he is exempt from *karet*.

Perek I

Daf 8 Amud a

NOTES

כלים שעושים – Utensils that one uses in preparation of food – ביהן אוכל נפש: In the Jerusalem Talmud it is explained that there is a distinction to be made between utensils in which food is prepared, e.g., a sieve and a sifter, which would be prohibited to one who is prohibited by vow from deriving benefit from another's food; and vessels in which food is merely placed, e.g., cups and plates, which are permitted even to that person.

מתני' אין בין המוֹדֵר הַנָּאֵה מִחֲבִירוֹ לְמוֹדֵר מִמֶּנּוּ מֵאֲכָל אֶלָּא דְרִיסַת הַרְגֵל, וְכֵלִים שְׂאִין עוֹשִׂין בֵּהֶן אוֹכֵל נֶפֶשׁ.

גמ' הא לענין כלים שעושים בהן אוכל נפש – זה וזה שוין.

MISHNA The difference between one for whom benefit from another is forbidden by vow and one for whom benefit from another's food is forbidden by vow is only with regard to stepping foot on his property, and with regard to borrowing utensils from him that one does not use in the preparation of food, but for other purposes; as those two benefits are prohibited to the former, but permitted to the latter.^H

GEMARA The Gemara infers that with regard to the matter of utensils that one uses in preparation of food,^N both this, one who vowed that any benefit is forbidden, and that, one who vowed that benefit from food is forbidden, are equal. It is prohibited for both to derive benefit from utensils used in the preparation of food.

HALAKHA

One prohibited by vow from deriving benefit from another and one prohibited by vow from deriving benefit from another's food – המוֹדֵר הַנָּאֵה מִחֲבִירוֹ לְמוֹדֵר מִמֶּנּוּ מֵאֲכָל – One for whom it is prohibited to derive benefit from another's possessions is prohibited to pass through his friend's property, even if it does not shorten his path (*Taz*; *Shakh*). He may not even go through his friend's fields during the summer, when people typically overlook trespassing in their fields. Likewise, he may

not borrow any vessel from his friend. If he is prohibited by vow from deriving benefit from another's food, it is prohibited to eat his food. If one said: Benefit from your food is prohibited for me, he may not eat the food; however, he may use vessels used in preparation of the food. If he said: Benefit that leads to food is prohibited for me, he may neither eat the food nor benefit from any vessel that is typically rented (*Shulhan Arukh*, *Yoreh De'a* 221:1).