Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

Makkos Daf Yud Tes

- **R' Sheishes** said, with regard to bikkurim, its placement on the Mizbe'ach is essential, but the reading of the parshiyos is not. His view follows **R' Yose in the name of R' Yishmael** in a Braisa, who says, we would think that even after the Churban a person can bring maaser sheini to Yerushalayim and eat it there. We can ask, that maaser sheini must be brought to Yerushalayim just as there is a requirement to bring a bechor to Yerushalayim, and therefore just as a bechor is only brought when there is a Beis Hamikdash, the same should be true for maaser! However, we would say that a bechor is different, because it must be offered on the Mizbe'ach. We would then say that bikkurim shows that this logic is not true, because it is not offered on the Mizbe'ach and yet it is only brought when there is a Beis Hamikdash. He says that is also not sound logic, because bikkurim is different than maser, because bikkurim must be placed onto the Mizbe'ach, but maaser does not have this requirement and we may therefore think to bring it to Yerushalayim even when there is no Beis Hamikdash. To prevent us from saying this, the pasuk makes a hekesh from maaser to bechor, which teaches that just as bechor in only brought when there is a Beis Hamikdash, the same is true for maaser sheini. Now, the fact that **R' Yishmael** says that bikkurim have the requirement of placing it on the Mizbe'ach, and makes no mention of a requirement to read the parshiyos, shows that he holds that only placement on the Mizbe'ach is essential.
    - **R' Ashi** said, even if reading the parshiyos is not essential he should have still mentioned it, since it is certainly a mitzvah that must be done with bikkurim. Rather, it may be that he holds that the reading is essential, and the reason he does not mention it is because there are situations when bikkurim is brought without reading the parshiyos, as in the case of a ger who brings bikkurim and cannot truthfully say "asher nishbah Hashem laavoseinu".
    - **Q:** Why didn't **R' Yishmael** try and learn maaser from a mah hatzad from bechor and bikkurim? **A:** It is refuted by saying that the two of them require some use of the Mizbe'ach, which is why they are not brought if there is no Beis Hamikdash, but maaser does not require the Mizbe'ach, and therefore we would think that it may be brought even after the Churban.
    - **Q:** If **R' Yishmael** holds that the kedusha of Yerushalayim remains forever ("kidsha l'shata v'kidsha l'asid lavo") then he should hold that even a bechor could be eaten there today, and if he holds that Yerushalayim no longer has its kedusha then he should even ask the question whether a bechor that was offered before the Churban could have been eaten in Yerushalayim after the Churban, instead of only focusing his question on maaser sheini!? **A: Ravina** said, he holds that Yerushalayim no longer has its kedusha, and in the case of the bechor which was offered when there was a Beis Hamikdash but not yet eaten before the Churban, he says that it may not be eaten because we make a hekesh from its blood to its meat – just as the blood may only be offered when there is a Mizbe'ach, the meat may only be eaten when there is a Mizbe'ach. He then makes another hekesh from bechor to maaser, to teach that maaser too may only be eaten when there is a Beis Hamikdash.
        - **Q:** How can something that itself was learned through a hekesh now be used to teach something else through another hekesh? **A:** This type of learning is only not done regarding kodashim. Maaser sheini is considered to be chulin, and may therefore be learned through this type of hekesh as well.
            - **Q:** That is fine according to the view that we look at the final thing that is being derived to see if it is chullin or kodesh, to decide if we can make this hekesh. However, according to the view that we look at the thing

that is teaching, how can we learn this double hekesh? **A:** The blood and meat of a bechor are considered one thing, and the hekesh between them is therefore not looked at as a hekesh for determining whether a double hekesh is being used.

KADSHEI KODASHIM…

- **Q:** The earlier Mishna already said that one who eats maaser sheini or hekdesh that was not redeemed gets malkus, so why does our Mishna repeat this? **A: R' Yose bar Chanina** said, our Mishna is talking about maaser sheini that is tahor and a person that is tahor who eats the maaser outside Yerushalayim. The earlier Mishna is talking about maaser sheini that is tamei and a person that is tamei who eats the maaser in Yerushalayim.
    - **Q:** How do we know there is malkus for eating maaser sheini when tamei? **A:** A Braisa says, **R' Shimon** says, the pasuk says "lo vi'arti mimenu b'tamei", the person says that he did not burn the maaser whether he was tamei and the maaser was tahor, or whether he was tahor and the maaser was tamei. However I am not sure where a person is warned against eating the maaser when tamei. [The Gemara asks, that a pasuk explicitly says that one who is tamei may not eat maaser!? The Gemara explains that **R' Shimon** meant that he was looking for a source for the issur of a tahor person eating maaser that is tamei.] The Braisa explains, the pasuk of maaser says that one may not eat maaser in the cities. A pasuk regarding a bechor or kodashim that have a mum says that they may be eaten in the cities, whether the food itself is tamei or tahor. The Torah is teaching that that which may be eaten by the kodashim with a mum (where the food itself is tamei), may not be eaten by maaser (tamei maaser may not be eaten).
    - **Q:** By saying that the earlier Mishna refers to tamei maaser that was not redeemed, it implies that it can be redeemed. How do we know that tamei maaser may be redeemed even in Yerushalayim? **A: R' Elazar** said, the pasuk allows redemption when "ki lo suchal se'eiso", and "se'eiso" refers to eating. This teaches, that when it can't be eaten (because it is tamei) it may be redeemed even in Yerushalayim.
        - **R' Bibi in the name of R' Assi** said, the pasuk of "ki lo suchal se'eiso" teaches that tahor maaser sheini that is even only one step outside of Yerushalayim may be redeemed.
            - **Q:** This pasuk is needed for the drasha of **R' Elazar**!? **A:** The pasuk could have said "l'ochlo" and instead says "se'eiso", and the pasuk could have said "litlo" instead of "se'eiso", and therefore can be used for both drashos.
        - **R' Chanina and R' Hoshaya** were sitting together and asked, what if the person carrying the maaser sheini has already begun to enter Yerushalayim – may it still be redeemed? Clearly, if he is still outside but the maaser has entered, it can no longer be redeemed, because the maaser is in Yerushalayim. However, what if the maaser is still outside the walls, but he has entered? A certain elder answered with a Braisa from the yeshiva of **R' Shimon ben Yochai**, which darshens the pasuk of "ki yirchak mimcha hamakom" to mean that if either the person carrying the maaser or the maaser has already entered Yerushalayim, it may no longer be redeemed.
            - **Q: R' Pappa** asked, what if he is carrying the maaser behind him on a stick (is it now not considered part of his body)? **TEIKU**.
- **R' Assi in the name of R' Yochanan** asked, at what point does a person become chayuv malkus for eating maaser sheini outside of Yerushalayim? It is only once it has been brought into the city and then leaves. This is based on the pesukim that make a hekesh from the assei of eating maaser in Yerushalayim to the lav of eating maaser outside of Yerushalayim. The hekesh teaches that that lav only applies if the maaser has become subject to the assei by entering Yerushalayim.
    - **Q:** A Braisa says, **R' Yose** says, if a Kohen takes a fig of tevel and says, "the terumah of this fig should be near its stem, the maaser rishon should be in the northern part, the maaser sheini should be in the southern part, and he is in Yerushalayim, or if it was a year of maaser ani he says that the maaser ani should be in its southern part, and even if he is not in Yerushalayim, but he failed to designate the terumas maaser and then ate the fig, he is chayuv one set of malkus (for eating tevel, because he didn't designate the

terumas maaser). If it was a non-Kohen who ate it, he would be chayuv 2 sets of malkus (one for tevel and one for eating the terumah that was designated). However, if the non-Kohen had eaten the fig before any of the designations were made, he would only get one set of malkus (for eating tevel). Now, this suggests that he is only chayuv 2 because he was in Yerushalayim. However, had he been outside Yerushalayim he would be chayuv a third set of malkus, for eating maaser sheini outside Yerushalayim, even though the maaser was never brought into Yerushalayim!? **A:** The Braisa means that he would be chayuv 3 if it was brought into Yerushalayim, and it was then taken out and eaten there.

- **Q:** There would be no chiddush in that implied case!? **A:** The case would be where the fig was brought in and then taken out before the terumah and maaser was designated. The Braisa holds that unseparated terumos and maaser are considered as if they were already separated, and therefore it is as if the maaser in the fig was brought into Yerushalayim.
    - **Q:** We find that **R' Yose** holds that **B"H** hold regarding redeeming maaser sheini that if the tevel fruit was in Yerushalayim and then taken out, and the maaser is then separated there, it may still be redeemed. This shows that he holds that the maaser is not considered as separated before it is actually designated!? **A:** With regard to eating, the halacha D'Oraisa is that the walls create a boundary that once entered, make it assur to eat the maaser outside. With regard to redemption it is only D'Rabanan, and the **Rabanan** were only goizer on maaser that had already been designated, not when it is still in tevel form.
    - **Ravina** said that the 3rd set of malkus implied by the Braisa would be a case where the person is carrying the maaser on a stick behind him as he walked into Yerushalayim, but the maaser had not entered. The Braisa teaches that in this case the maaser is still considered to have entered Yerushalayim. The Braisa is answering the question posed by **R' Pappa**, earlier.