

¹Daf Hashvuah Gemara and Tosfos Megila Daf 10
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New Sugya

There is no difference between (Mishkon) Shilo and (the Beis Hamikdash) in Yerushalayim, but that, in Shilo, you ate Kodshim Kalim and Maasar Sheini at any distance from the Mishkon as long as you can still see it. In Yerushalayim, you eat it within its walls. Both places, you eat Kodshei Kodshin within the partition (i.e., within the walls of the Azara, i.e., the courtyard).

Daf 10a

The Mishna says: after Shilo was destroyed, they had the Heter to bring Korbanos on a Bamah. However, after the destruction of the Beis Hamikdash, there was no such Heter.

The Gemara says: R' Yitzchok says: I heard that you can bring Korbanos in Beis Chonuv (a temple in Egypt made by Shimon Hatzadik's son) nowadays (after the Beis Hamikdash's destruction).

Tosfos asks: how can they bring Korbanos there when they're Tamai? After all, they decreed Tumah on all Chutz L'aretz.

Tosfos answers: perhaps they didn't decree Tumah regarding bringing Korbanos there; since you can bring the Korbanos there from the Torah, (the rabbis probably didn't want to interfere with it).

That's because he held that Beis Chonuv was not set up to serve idols (but as a satellite Beis Hamikdash, although it was wrong to set one up). He also holds that the original Kedusha for the Beis Hamikdash was only temporarily (while it was functioning), but not forever. (Therefore, there is nothing that has the Kedusha of Mikdash after its destruction, so the Heter to bring Korbanos on a Bamah comes back.) As the Pasuk says “(you can bring Korbanos anyplace) since you hadn't come yet to the place of rest and to your inheritance.” “Place of rest” refers to Shilo and “your inheritance” refers to the (Mikdash in) Yerushalayim. So, we have a Hekish between “the inheritance” to “the rest.” What do we see by “the rest” (Shilo), that it had a Heter (to bring Korbanos on a Bama) after it's destroyed, so too “the inheritance” (Mikdash) that it has a Heter (to bring Korbanos on a Bama) after it's destroyed.

The Chachumim asked R' Yitzchok if he indeed said this. He denied ever saying it. Rava said “by the name of Hashem, he most definitely said it, and I learned it directly from him.” Why, then, did he reverse his decision? It's because of the question that R' Mari posed. As R' Mari asked: our Mishna (says the opposite); after Shilo was destroyed, they had the Heter to bring Korbanos on a Bamah. However, after the destruction of the Beis Hamikdash, there was no such Heter. Also, we learned in a Mishna: when they brought (the Mikdash) to Yerushalayim, the Bamos became forbidden and they will never have any Heter afterwards. This is “the inheritance” (mentioned in the Pasuk.).

Tosfos quotes R' Chaim who asks: how could he say his original statement? Didn't they all know the Mishnayos so well that it flowed from their mouths?

Another question: since we'll say later that it's a Tannaic argument, why did he reverse his statement? Let him just claim that he holds like the Tanna who says that it wasn't made Kodesh forever.

Therefore, R' Chaim answers: all agree that, when they brought the Mikdash to Yerushalayim, the Bamos became forbidden and there is no Heter for them afterwards. The Tannaim brought later only argue as follows: the one who says that the Kedusha wasn't forever held that you can't even bring Korbanos on the place of the Mizbeiach. The one who holds the Kedusha is forever holds that you could bring Korbanos on the place of the Mizbeiach. However, no one holds that you may bring it on Bamos.

[Maharsha: therefore, originally he thought that the Tannaim argue whether they held like the Mishna, so he can say that he holds like the opinion that argues. However, he concludes that it's possible that no opinion disagrees with the Mishna, so he needs to revert to the Mishna's opinion.]

The Gemara answers: it's really a Tannaic argument. As we learned: R' Eliezer says: I heard that, when they were building (the second Beis Hamikdash), they had curtains surrounding the Heichel and Azara (courtyard). (The difference between the two curtains) the curtains around the Heichel (were hung by the inside of the Heichel walls) so those who were working on the walls will build it from the outside. The curtains of the Azara (were hung from outside the walls) so the workers would build it from within the curtains. R' Yehoshua says: I heard the you may bring Korbanos there even if the Beis Hamikdash is not built. You may eat Kodshei Kodshim there even if there is no curtains up and you may eat Kodshei Kalim and Maasar Sheini in Yerushalayim even without a wall. This is because the first Kedusha was establish for then and forever. This implies that R' Eliezer held that it didn't have Kedusha forever (and therefore, you need the curtains to consider it Kodesh.)

Raveina told R' Ashi: is this true (that they must argue in this)? Perhaps, everyone holds that the first Kedusha was establish for then and forever. Each one just said what they heard how they built it back then. If you'll ask (if the curtains were unnecessary for the Beis Hamikdash), why did they have curtains according to R' Eliezer? We can say; just to have privacy.

R' Tam asks: why don't we bring a proof from the Gemara in the first Perek of Megila that R' Eliezer holds that it wasn't Kodesh forever? As we say there: R' Eliezer says there that he has a tradition from R' Yochanan b. Zacai that you give Maasar from the land of Amon and Moav, (and you also give Maasar) on the Shviovus year, (and the second Maasar for that year) is Maasar Ani. What's the reason (why you plant regularly and give Maasar instead of keeping Shviovus without any planting)? It's because there are many cities that the people who came up to Eretz Yisrael from Egypt conquered (and made it part of Eretz Yisrael) and those who came up (after the first Churban) from Bavel didn't conquer. (Therefore, they weren't anymore part of Eretz Yisrael, so, the Chachumim may enact anything on them. The very fact that they didn't retain they're original Kedusha) proves that the original Kedusha was only for that time and didn't last forever.

R' Tam answers: when the Gemara there asks "what's the reason etc." (and gives that answer), it wasn't part of R' Eliezer's words (but just the Gemara explaining, as we'll conclude). A

proof to this: the Mishna in Yadayim that quotes R' Eliezer doesn't mention this (i.e., the reason). This is the explanation: what is the reason they take Maasar, (and not say that it's exempt completely), as we find a different, but similar, case by different cities in Eretz Yisroel that those who came up from Bavel didn't conquer, according to those who say that the original Kedusha wasn't (forever), in order to support the Jewish poor during Shvius. This is doubly true to the cities of Amon and Moav that were always Chutz L'aretz, that the people who came up from Bavel left from making them Kodesh to support the poor. Therefore, we must say that he's not referring to the lands of Amon and Moav that Sichon made Kosher (to conquer, i.e., once he captured it, the Jews didn't have the prohibition to attack it like they have for Amon and Moav, so Moshe and the Jews conquered it, and this was the Transjordan part of Eretz Yisrael). Rather, it refers to the land that the Jews, when they came up from Egypt, left for Amon and Moav and never captured it. This is also the implication of the Mishna in Yadayim that lists this with Bavel and Egypt, that they're pure Chutz L'aretz. The Mishna in Bava Basra that lists three lands (of Eretz Yisrael) regarding Chazaka; Yehuda, Galil, and Transjordan, which consists of the lands of Amon and Moav; that only refers to the land that Sichon made Kosher (to capture, as we explained).

R' Tam asks: that, which is brought in Mesechtos Beitza and Rosh Hashana, that R' Eliezer owned grapes of the fourth year, (which needs to be eaten in Yerushalayim), and he wanted to make them Hefker for the poor to take (since he couldn't personally bring it to Yerushalayim). Therefore, it seems that he holds that original Kedusha is forever. After all, it's because he didn't want to personally bother to carry it up to Yerushalayim, he gave it to the poor to bring it up so they can eat it there. However, if he held that there is no Kedusha and he needs to redeem them (in Yerushalayim) like he needs to redeem it outside the city's walls [*R'shush's text*], why must it be brought up to Yerushalayim? Also, what do the poor gain with the fruit if they need to redeem it (since the money will remain unable to buy anything that can be eaten, so they didn't gain anything).

Tosfos answers: originally, they decreed that you need to bring up all grapes of the fourth year that grew in Eretz Yisrael to Yerushalayim. R' Eliezer wanted to do it now too, since, any decree they enacted with a vote in Beis Din, needs another vote in Beis Din to remove it (and he thought it wasn't yet voted down). After all, regarding this, the Gemara in Beitza brings this story (to prove that you need another vote of Beis Din to allow a decree.) Still, the poor will gain since they could redeem a ton of grapes on a Pruta, like Shmuel says. Although Shmuel only says his statement if it was already redeemed (but he doesn't allow you to L'chatchila redeem it this way) as he says "if you redeemed it," (and not "you can redeem it"), that's only when the Beis Hamikdash stood. However, nowadays (when there is no practical gain for Hekdish since you can't buy food with it to eat in Yerushalayim), you may redeem it on a Pruta even L'chatchila. We find similar in Shiltos of R' Achai that says you make a Bracha before you redeem it (like by all Mitzvos), and you burn the money or you throw it in the river.

The Gemara gives another attempt: rather, it's like the following Tannaic argument. R' Yishmael b. R' Yossi says: why did the Chachumim list these cities (in Erchin as walled cities regarding houses that you sell there)? Since, when the Jews came back from exile, they found those particular cities, they rededicated them to have the Kedusha (of walled cities), but the original ones (that weren't included in this second rededication), their Kedusha went away when the land was unoccupied. This proves that he holds that the original Kedusha is for then and not forever.

Tosfos asks: *[R'shas- the following is the correct text];* why bring this Braisa that only holds that the first Kedusha (of those who came up from Egypt) were canceled (after the first Churban)? After all, there is a Tanna in Yevamos who says that there is a Heter after the first and second Kedusha, but not to the third *[Bach- first Kedusha was by the Avos, second by those who came out of Egypt and third is when they came up from Bavel]* since the last Kedusha is not canceled. Chunyuv's temple was by the end of the third Kedusha.

Tosfos answers: even according to that opinion that only the last Kedusha wasn't canceled, that was only regarding Trumah, (that you still have an obligation to separate it from the produce of the land). However, regarding all other aspects, (like the Kedusha of the Mekdash), it was definitely canceled.

The Gemara asks a contradiction: we see a Braisa that R' Yishmael b. R' Yossi says: was there only these (cities counted in the Mishna) that existed? After all, the Pasuk says "sixty cities in the Argov region." Also, it says "all these were fortified cities with high walls." Rather, why did the rabbis count only these cities, since the people from the exile came up and found them and dedicated them with Kedusha. The Gemara asks: how can you say that they made them Kodesh if they were always Kodesh?

Daf 10b

Rather, they found these cities and counted them (among the walled cities). Not only are these cities, but any city that you have a tradition on that they were walled from the days of Yehoshua b. Nun, all the Mitzvos of walled cities apply to them since the original Kedusha was put on, not only for that time, but forever. This seems to be a contradiction in R' Yishmael b. R' Yossi's opinion.

The Gemara reconciles: there must be an Taanaic argument what R' Yishmael b. R' Yossi held. Alternatively, the last Braisa was really R' Elazar b. R' Yossi. As the Pasuk says "which has a wall" (since the 'Lo' is written with a Vuv, which the explanation is that it has a wall), and read with an Aleph, inferring that it doesn't have a wall. To reconcile this, it applies even if it no longer has a wall, but it originally had a wall. (Therefore, its Kedusha remains even after its destruction, so the original Kedusha is forever.)

New Sugya

The Megila begins "and it was in the days of Achashveiros." R' Levi, or R' Yonasan, says: we have this tradition all the way back from the Anshei Keneses Hagedola: any place where it says "and it was," it means that there was some pain. "And it was in the days of Achashveiros," there was Haman. "And it was in the days of the judges," there was a hunger. "And it was when humans increased" it says "Hashem saw that humans did a lot of bad." "And it was when they traveled east" it says "they said; let us build a city" (by the tower of Bavel). "And it was in the days of Amraphel" it says "they fought a war." "And it was when Yehoshua was in Yericho" it says "(the angel came) and a sword was unsheathed in his hand." "And it was that Hashem was with Yehoshua," it says "the Jews misused Hekdesh." "And it was when a man from the Remasim" it says "he loved Chana, and Hashem closed off her womb." "And it was when Shmuel became old, and his sons didn't go in his ways." "And it was that Dovid was smart in all his ways, and Hashem was with him, and Shaul harassed Dovid." "And it was when the king (Dovid) sat in his house" it says "only, that you shouldn't build the Beis (Hamikdash)."

The Gemara asks: the Pasuk says “And it was on the eighth day (of preparing the Mishkon)” and we learned that there was as much joy then to Hashem as the day He created heaven and earth. As it says here “And it was on the eighth day” and it says correspondingly (by the creation) “it was day one.”

The Gemara answers: still, Nadav and Aviyu died on that day, (so there was pain).

The Gemara asks: but doesn't it say “and it was in the four hundred and eightieth year.” It also says “and it was when Yaakov saw Rochel” It also says “and it was evening, and it was morning, one day.” Also, there are many similar P'sukim (where it says “and it was” and it doesn't have any pain).

R' Ashi answers: any time it says “and it was” it could be either with (pain) or without. However, when it says “and it was in the days,” it's pain. There are five of them. “And it was in the days of Achashveiros.” “And it was in the days of the judges.” “And it was in the days of Amraphel.” “And it was in the days of Achoz.” “And it was in the days of Yoyakim.”

R' Levi says: we have a tradition from our fathers that Amoitz (Yeshaya's father) and Amtzia (Chizkiyahu's father) were brothers. What's the Chiddush? Like R' Shmuel b. Nachmeini said in the name of R' Yehonason: all brides who are modest in their father-in-law's home, they merit to have kings and prophets come from them. Where do we see this? From Tamar.. As the Pasuk says: “Yehuda saw her and he thought her to be a harlot, because she covered her face.” Is it just because she covered her face that Yehuda deduced her to be a harlot? Rather, it's because she covered her face in her father-in-law's house is the reason he didn't recognize her. Therefore, she merited to have kings and prophets come from her. Kings, as we know that Dovid came from her. Prophets, as R' Levi says: we have a tradition from our fathers that Amoitz and Amtzia (Chizkiyahu's father) were brothers. And it says “this is the vision of Yishayahu b. Amoitz.”

R' Levi also said: we have a tradition from our fathers; the place (in the Kodesh Hakodashim) where the Aron stood wasn't part of the measurement of the room (i.e., it didn't take up space). We have a Braisa like that: the Aron that Moshe made (which was in the middle of the Kodesh Hakodashim) had ten Amos on both sides (though the room was twenty Amos squared). Similarly, the Pasuk says: “in front of the room, it was twenty Amos long.” It also says “the wings of one cherub is ten Amos and the wings of the second cherub is ten Amos.” (If the Keruvim that the Aron stood between took up the whole room) where did the actual Aron stand? This proves that it miraculously stood (without taking up space).

R' Yonason opened up his Drasha to the Megila as follows: “I will stand up to them etc. and I will cut off from Bavel the name, family, offshoot and offspring, so says Hashem.” “The name,” that's its alphabet. “Family,” that's its language.

Tosfos asks: don't they still speak Aramaic in Bavel?

Tosfos answers: it means that they lost the dialect that the royalty spoke with, which the rest of the populace didn't understand.

“Offshoot” that's its kingdom. “Offspring” that's Vashti..

R' Shmuel b. Nachmeini opened up his Drasha to the Megila as follows: the Pasuk says “instead of the thorn will grow the cypress. Instead of the brier will grow the myrtle.” “Instead of the thorn” i.e.,

instead of Haman who made himself into an idol, as it says “and upon all thorns and brambles,” will grow the cypress (Heb. 'Brosh')” will be Mordichai that's called the chief (Heb. 'Rosh') of all incense spices. As the Pasuk says “you shall take the chief of the spices, Mor Dror,” which the Targum translates to “Mor Dechi,” (which may be read as 'Mordichai'). “Instead of the brier (Sarpad)” this is Vashti, granddaughter of the wicked Nevuchadnetzar who burned the ceiling of the “house of the lord” (Heb. Saraf Refidas, which Sarpad is an acronym to), as the Pasuk says “(Refidaso) its top is gold.” “Will grow the myrtle,” this is the righteous Esther who's called Hadasah (myrtle). As the Pasuk says “and he brought up Hadasah.” The original Pasuk continues: “it shall be to Hashem as a name” that refers to reading the Megila. “A sign forever that will never cease,” that refers to the days of Purim.

R' Yehoshua b. Levi opened up his Drasha to the Megila as follows: “as it was, when Hashem was happy to do good with you, so too, He makes happy (now) to make bad for you.” The Gemara asks: does Hashem really become happy when the wicked fall? After all, the Pasuk says “when we went before the army (and we were victorious); praise Hashem, for His kindness is forever.” R' Yochanan says: why didn't it say “because He's good” in this praise (like it says in the others)? Since Hashem is not happy when the wicked fall. Also, we see that R' Yochanan says: what does the Pasuk mean when it says “they didn't come close all night?” The angels wanted to sing praises to Hashem (for His battle by the Red Sea). Hashem said “my creations is drowning in the sea and you want to sing praises?”

R' Elazar answers: He's not happy, but he makes others happy. This is also the implication of the original Pasuk. It says “He makes happy” and not “He's happy.” This is a proof.

R' Abba b. Kahana opened up his Drasha to the Megila as follows: “to a good man, he gives wisdom, understanding and joy” this refers to the righteous Mordichai. “He gives the sinner the task to gather and to bring in” this is Haman (who gathered much riches). “To leave it to who's good in Hashem's eyes” this refers to Mordichai and Esther, as the Pasuk says “Esther gave Mordichai to be over Haman's house.”

Rabbah b. Ofran opened up his Drasha to the Megila as follows:

Tosfos points out: the right text is 'Ofran' and not 'Efron.' (Since it was the name of the villain who sold Avraham the Maaras Hamachpeila), the Pasuks says that “the names of the wicked should rot” which we interpret to mean, we don't name people after them.

“I put my throne in Ilam (where Shushan was located) and I'll destroy a king and princes.” 'A king' refers to Vashti. “Princes' refers to Haman and his ten sons.