

OVERVIEW of the Daf

1) Camps (cont.)

Rava challenges Rabbah's explanation of the Baraisa that discusses the arrangement of the camps in Yerushalayim and offers his own explanation.

An inference from Rava's explanation is raised and confirmed as true.

2) Private bamos

A Baraisa elaborates on the korbanos that could be offered on a private bamah during the time that bamos were permitted.

The Baraisa moves on to discuss which korbanos could be brought on the communal bamah.

The rationales behind R' Meir's and Rabanan's respective opinions are explained.

Shmuel asserts that the dispute between R' Meir and Rabanan is limited to the nazir's Chatas and Asham but they agree about his Olah and Shelamim korbanos.

Rabbah challenges this explanation and a revised version of Shmuel's statement is recorded.

3) Communal bamos

The Gemara begins to explain the rationale behind Chachamim's position in the Baraisa that individuals could not bring obligatory korbanos on the communal bamah. ■

REVIEW and Remember

1. To where did murderers get exiled in the wilderness?
2. According to R' Yehudah, what was the difference between the Ohel Moed of the wilderness and the Ohel Moed of Gilgal?
3. What does the term ישרות mean when used in reference to korbanos?
4. How does Shmuel explain the dispute between R' Meir and Chachamim?

Distinctive INSIGHT

Private and communal offerings on private altars

מאי טעמא דר' מאיר דאמר קרא לא תעשון כן וכו'

The Mishnah (112b) taught that when the Jews crossed the Jordan River and entered into Eretz Yisroel, they camped at Gilgal. The Mishkan was erected there, and it remained functional for the fourteen years during which the Jews conquered and divided the land. During this fourteen-year period, it was permitted for the Jewish people not only to come to the Mishkan and bring offerings there, but they were also allowed to bring offerings on private altars (bamah).

The Baraisa in our Gemara lists the types of offerings that were brought on these private altars. R' Meir holds that only elective offerings such as neder and nedavah (volunteered) were allowed on these altars. Communal offerings which were brought at scheduled times, such as the daily tamid or the Korban Pesach (see Yeshoshua 5:10), could only be brought in the Mishkan at Gilgal, where there was a large altar, a bamah gedola.

The Gemara presents the source for R' Meir's opinion. The verse states (Devarim 12:8), "Do not conduct yourselves [in Eretz Yisroel] as we do here today, where each man does as is proper in his eyes." Rashi explains that Moshe was telling the Jews that when they would be in Eretz Yisroel and the Mishkan would be in Gilgal things would be different than they were in the desert. In the desert, all offerings were only in the Mishkan. This included offerings which were regularly scheduled, and those which were not fixed by a specific time. Both communal and private offerings were brought only in the Mishkan. In Eretz Yisroel, however, the Jews would be able to bring elective offerings on their own, private altars, but not obligatory offerings of an individual (chattas or olah). In the Mishkan, communal offerings would continue to be brought.

This situation would continue until the Jews would later establish the Mishkan at Shiloh, which the Gemara later (119a) identifies as "the resting place" from the verse (Devarim 12:9), when individuals would be able to bring their personal obligations on private altars.

The Sifrei explains the contrast which Moshe presented a bit differently. Moshe told the people that until the Mishkan was erected in the desert, private altars were permitted, and the service was performed by the firstborns.

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HALACHAH Highlight

Is atonement required for one who inadvertently causes the death of another?

מלמד שמגלין במדבר

It teaches that they exiled inadvertent killers even in the wilderness

The Gemara relates that one who kills inadvertently requires atonement and even while the Jewish Nation travelled through the wilderness those who killed inadvertently were exiled to the Levite Camp. Mahari Weil¹ was asked whether the principal who sent out an agent who was killed while carrying out his agency requires atonement. He responded by referencing the Gemara in Sanhedrin that teaches that Hashem held Dovid HaMelech responsible for the death of numerous people just by virtue of the fact that it was through him that they were killed. Therefore, one who actually sent someone on a mission is responsible if that person dies while carrying out that mission. An example of the atonement that may be necessary is to fast for forty days and if the deceased has children the one who sent the agent should provide them with financial support.

Teshuvos Tzemach Tzedek² contends that if the agent was paid to do his job the principal should not require any atonement. Rashi³ explains that an employer must pay his employee on time because the employee put his life at risk by climbing a tree in order to earn his salary. Why then should the employer be held accountable for the death of his em-

(Insight...continued from page 1)

After the Mishkan was dedicated, private altars were prohibited, and the service was done by the kohanim. In Eretz Yisroel private altars were allowed until the Jews arrived at Shiloh. After Shilo, the private altars were no longer allowed. When the Mishkan was moved to Nov and Givon, private altars were again allowed, until the Beis HaMikdash was established. Then, private altars were prohibited, never to be permitted again. ■

ployee? If the employer is held accountable it would make sense for people to avoid hiring employees since it comes with the risk that they will be responsible for their death. Noda B'yehudah⁴ also writes that if the employee approached his employer and asked to be sent on this mission and he dies the employer is not accountable for his death.

Chasam Sofer⁵ was asked about a case in which someone fainted and in order to save him they wanted to pour liquor on him and mistakenly they took some poison that killed the person. Chasam Sofer responded that since the intent was to save the person's life the one who made the error would be exempt from having to go to the City of Refuge. Nevertheless, some type of atonement is appropriate since this error happened through his hands. ■

1. שו"ת מהר"י ווייל סי' קכ"ה.
2. שו"ת צמח צדק (הקדמון) סי' ו'.
3. רש"י דבברים כ"ד: ט"ו.
4. שו"ת נודע ביהודה מהדו"ק או"ח סי' ל"ד.
5. שו"ת חת"ס או"ח סי' קע"ז. ■

STORIES Off the Daf

Hashem's Elect

"לא תעשון ככל אשר אנחנו עושים פה היום..."

The Chovos Halevavos, zt"l, writes that there are many conditions that must be fulfilled before one attains genuine love of Hashem. One of these prerequisites is that one is submissive before those who fear Hashem and who are His elect.¹

He adds, "No generation or country is devoid of an appropriate teacher to impart avodas Hashem."²

The Alter of Kelm., zt"l, takes this a step further, "Even if one is truly a scholar and tzaddik, if he is in disagreement

with the sages of the generation he will not be accepted on high either. And this is true even if he happens to be right and they are wrong."

When Rav Tzvi Broide, zt"l, from Salant, passed away, Rav Yisrael Salanter, zt"l, commented, "Some hold that each person's heavenly tribunal that serves his final judgment comprises the departed sages of his generation. According to this, people must be especially careful in hilchos Shabbos, since Rav Tzvi was very strict in hilchos Shabbos..."

The Alter of Kelm made a similar statement when Rav Yisrael Salanter passed away. "As is well known Rav Yisrael Salanter was very particular about middos; indeed this made up most of what he spoke about. It follows that now that he has joined the heavenly courts,

people should make correcting bad middos a big priority in their lives."³

This is the meaning of the verse on today's daf, "לא תעשון ככל אשר אנחנו עושים פה היום". How we comported ourselves in the desert changed when we entered Eretz Yisrael. This teaches that when the Shechinah rests with a different leader, one must sometimes adjust his focus accordingly.

In the words of the Vilna Gaon, zt"l, "In every generation the world is run based on a particular middah. All of their actions and the way they comport themselves is according to this middah."⁴ ■

1. חובות הלבבות, שער אהבת ה', פ"ג.
2. חובות הלבבות, שער התשובה, פ"ו.
3. ספר זכרון בית קלם, ע"ר"ב.
4. אבן שלמה, פי י"א, ס"ט. ■