

Seder Kodashim | Masechet Meilah 19-25 | Shabbat Parashat Ha'azinu | 7-13 Tishrei (Oct. 6-12)



Daf 19: חֲפֵץ הַקֹּדֶשׁ שֶׁנִּשְׁחָק – Consecrated Property in Disrepair

According to the sages, the law of *Meilah* (misuse of consecrated property) does not apply in the event that someone misuses, without causing any depreciation, an item that typically depreciates. However, with regard to an item that is not known to depreciate when used, the law of *Meilah* applies even when no damage is done to the item by the user. The *Mishnah* provides an example of an item does not depreciate with its typical use: one who drinks from a gold cup.



Rav Kahana was surprised by this response and asked Rav Zevid: Is gold really not subject to damage? Everyone knows that the wealthy man, known as Nun, gave his daughter-in-law many pieces of gold jewelry. Where is all that gold jewelry now? They clearly deteriorated over time.

Rav Zevid replied to Rav Kahana: Perhaps Nun's daughter-in-law was careless with the jewelry, so that little-by-little, it disappeared. Therefore, only a small portion remained from the vast collection she received from Nun. However, items made of gold are known to hardly deteriorate.

Daf 20: אֶבֶן שֶׁל הַקֹּדֶשׁ – A Consecrated Stone



A man stole a stone from a storage unit filled with construction materials. Several weeks later, the man decided *lach'zor b'teshuva*, (to return, repent for his transgressions). He approached the owner of the storage unit and admitted to stealing one of his stones.

The owner of the storage unit informed the man they needed to visit the local Rabbi. "Prior to the theft, I consecrated those stones in the storage unit to the *Beit HaMikdash*. Therefore, now there is a question regarding whether *Dinei Meilah* apply to what you did."

The Rav listened to what happened and told the man: "It makes no difference what you did with the stone. The moment you removed the *hekdes* from the place it was located, you became liable for *Meilah*. Only if you had been the *gizbar* (treasurer of the *Beit HaMikdash*) would you be *patur* (exempt) from *Meilah*, unless you did something to alter the stone in some way — e.g., placing the *hekdes* stone into a brick wall. However, if the *gizbar* had set the *hekdes* stone in a roof in order to plug a hole, he would not be liable under *Dinei Meilah* until he derived benefit worth the value of one *perutah*." (*Perutah* was the smallest form of currency in the times of the *Mishnah* and *Talmud*, worth a little more than a penny.)



FROM THE TALMUD SEDER KODASHIM MASECHET MEILAH DAF 20

מן התלמוד:
סדר קודשים, מסכת מעילה דף כ':
"לימא: הדר בבית של אבנים שבנאו
ולבסוף הקדישו לא מעל"

Translation

לימא ... Lay'ma ... Let (the *baraita*) say
הדר ... HaDar ... One who resides
אבנים ... Avanim ... Stones

Explanation

On this *daf*, the Talmud discusses whether a person who built a stone house and then consecrated the house would be liable for *Meilah* (misuse of consecrated property) for having used the house.

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Daf 21: פְּרוּטָה וְחֶצִי פְּרוּטָה – A Perutah and a Half-Perutah

A person who derived benefit worth the value of one *perutah* from used of an item of *hekdesh* guilty of *Meilah*. If a person gave their friend a *perutah* of *hekdesh* and said: “Acquire candles for me with this money” — the sender would be guilty of *meilah*. But the *shaliach* (messenger) in this case is exempt, as he only did what the sender asked of him.



However, if the sender asked the *shaliach* to bring him candles worth one-half *perutah* and wicks from the remaining one-half *perutah* and the *shaliach* brought candles worth one *perutah*, neither the sender nor the *shaliach* are held liable under the laws of *Meilah*.

Why are both exempt? Answer: The sender is not liable because the *shaliach* only spent one-half *perutah* adhering to his instructions, and *Dinei Meilah* only apply in cases that involve benefit of one entire *perutah*. Similarly, the *shaliach* is exempt because the action he took on his own authority was also only worth one-half *perutah*.

Daf 22: הַפְקַדַּת כֶּסֶף הֶקְדֵּשׁ – Deposit of Consecrated Money

Is there any difference between the following two scenarios?

- A) Reuven deposited money with a money changer.
- B) Reuven deposited money with his friend.



In both cases, the money Reuven deposited was *hekdesh*, yet neither Reuven nor the one with whom he deposited the money were aware of that fact until after the money was unlawfully used. Who, if any of them, is liable for *Dinei Meilah*?

In the first case Reuven is *chayav* (liable) and in the second case, the friend is *chayav*. Why? Reuven is *chayav* because when a person deposits money with a money changer, that money is intended to be used. It is as if Reuven said to the money changer “go use this money,” which makes Reuven the one responsible for the *Meilah* (misuse).

However, the friend with whom Reuven deposited the money, was not given any permission to use those funds. Therefore, if the friend chose to use the money, the responsibility for *Meilah* is fully upon him.

This is the final *daf* of *Masechet Meilah*. We will return to you, *Masechet Meilah* ...



WHO'S WHO?

RAV ABRAHAM ISAAC KOOK

(1865– 1935)

Rabbi Abraham Isaac Kook, born in Griva, Latvia in 1865, was a philosopher and Talmudic genius. He is considered one of the most important rabbis of the 20th century and one of the fathers of Religious Zionism.

Rav Kook was born in Latvia and was a prodigy in his youth. He moved to *Eretz Yisrael* when he was 39 years old to become the Rabbi of Jaffa. There he fostered close ties with all people. Rav Kook identified with the Zionists, which antagonized the religious establishment. During World War I, Rav Kook was in London where he worked to convince the British Jewish community to support Zionism. He later returned to *Eretz Yisrael*. In 1921, with the formation of the Chief rabbinate, Rav Kook became the Chief Ashkenazi Rabbi of Jerusalem.

In 1924, Rav Kook founded *Yeshivat Mercaz HaRav*, located in Jerusalem's *Kiryat Moshe* neighborhood. The yeshiva is a center of Torah learning, created to educate leaders of Israel in Judaic studies and a love for the land. *Mercaz HaRav* is one of the most prominent of the Zionist *yeshivot*. Kook believed the Zionist movement represented the first steps of divine redemption.

Rav Kook was buried in the Mount of Olives cemetery in Jerusalem. The religious moshav *Kfar HaRoeh*, which was founded by members of the *HaPoel Mizrachi* movement, is named after Rav Kook, as *HaRoeh* is an acronym for *HaRav Avraham HaCohen*.



Rabbi
Abraham
Issac Kook.
Photo
Source:
Wikipedia





Daf 23: מַסֶּכֶת קִנִּים – *Masechet Kinnim*

Masechet Kinnim deals primarily with *Korbanot Ohf* (Bird Offerings) that become intermingled. The name of the *Masechet*, “*kinnim*,” comes from the word “*ken*” (nest), built by birds in order to lay their eggs and incubate them.

There are several general *halachot* that pertain to *Korbanot Ohf*:

- 1) *Korbanot Ohf* are never offered as a *Korban Tzibbur* (Public Offering), only as a *Korban Yachid* (Private Offering);
- 2) *Korbanot Ohf* are only offered from one of two types of birds — a turtledove or a young pigeon. Turtledoves are only offered once they are grown and young pigeons are only offered while they are small.

In *Masechet Avot*, Rabbi Eliezer Hizma said “*Hilchot Kinnim*” (the laws regarding mixed bird offerings are “the body [or core] of the *halacha*.” Rashi explained that Rabbi Eliezer Hizma’s comment was based on the fact the *halachot* in *Masechet Kinnim* “have great depth,” (i.e., they are incredibly intricate and complicated).

Daf 24: “קֵן סְתוּמָה” – “An Unassigned Nest”



Masechet Kinnim deals quite a bit with the terms, “*ken*” and “*ken stu'mah*”.

Before we clarify the definition of a “*ken stu'mah*,” we need to know the meaning of the Mishnaic term “*ken*.” In *Masechet Kinnim*, a “*ken*” does not refer to the bundle of twigs gathered by birds to build the nest in which they nurture their eggs. Rather, in the *Mishnah*, a “*ken*” refers to two birds, since there were generally one pair of birds in each nest.

A “*ken stu'mah*” refers to a case where an individual consecrated a certain pair of birds, however, did not designate which bird was assigned as a *Korban Olah* (Burnt Offering) and which bird was meant to be a *Korban Chatat* (Sin Offering).

It should be noted that while *Masechet Kinnim* appears in the *Mishnah*, it is absent from both the Babylonian and Jerusalem Talmuds. The addition of the *mishnayot* from this *masechet* to standard Talmud editions enables all the *masechtot* of Seder Kodashim to be studied as part of the *Daf Yomi* cycle. *Masechet Kinnim* is located in the volume which also contains *Meilah*, *Tamid*, and *Middot*. The *mishnayot* from *Masechet Kinnim* can be found on *dapim* 23a-25a of *Masechet Meilah*.

Daf 25: עֵץ טִיט עֵץ – Blood of Bird Offerings

The blood of an *Olat HaOhf* (Bird Burnt Offering) was placed on the upper portion of the *miz'be'ach* (altar), while the blood of a *Chatat HaOhf* (Bird Sin Offering) was sprinkled on the lower portion of the *miz'be'ach*. The commentators established a mnemonic device in Hebrew to help recall the designated location for each *korban* (offering).

עֵץ = עוף עולה למעלה A *Korban Olah* was placed on top

טִיט = קורבן חטאת למטה A *Korban Chatat* was placed on bottom

Other commentators suggested the mnemonic:

עֵץ = עוף עולה למעלה Bird Offering on top

ON THE MAP OF ISRAEL MOUNT OF OLIVES

Mount of Olives, known in Hebrew as *Har HaZeitim*, is located outside the walls of the Old City of Jerusalem. The site has been a Jewish burial place since ancient times. It is considered a great honor to be buried on the Mount of Olives.

After Israel's War of Independence, Jerusalem was divided and the Mount of Olives fell into Jordanian hands. Jews did not have access to the cemetery, and the Jordanians destroyed thousands of graves. Following the Six Day War in 1967, Jerusalem in its entirety was finally under Israeli control and the cemetery was rehabilitated.

Some of those buried in the cemetery include the prophets Haggai, Zachariah and Malachi, Rabbi Obadiah of Bartanura, Rabbi Haim ben Atar and Rabbi Shalom Sharabi (the Rashash). Contemporary figures buried there include author Shmuel Yosef Agnon; renowned poet Uri Zvi Greenberg; the founder of Hadassah, Henrietta Szold; Chief Rabbi Abraham HaCohen Kook; Prime Minister Menachem Begin and Eliezer Ben Yehuda, the man who revived the Hebrew language.



Gravestone of Rav Kook. Wikipedia and Map of Mount of Olives. Photo Source: Google Maps.



Look closely at the illustration and answer the following questions:

1. Who is the character depicted at the center of the illustration and what was his position?
2. Which yeshiva did he establish?
3. How is the city of Jaffa connected to this illustration?
4. Which books did he write?
5. What was the date of his death?



1) Rabbi Avraham Yitzchak HaCohen Kook, Chief Rabbi of Eretz Yisrael; 2) The world's central yeshiva — Yeshivat Merkaz Harav Kook; 3) Rabbi Kook immigrated to Jaffa and was Chief Rabbi of Jaffa; 4) Shabbat Ha'aretz, Ma'amaret HaRe'iyah, Igrot HaRav, Olat Rayah, Orot Hakodesh, Orot HaTorah, Orot HaTeshuvah, and more; 5) September 1st (3 Elul) 1935.

Dvar Torah HA'AZINU

“כְּנֶשֶׁר יַעִיר קְנוֹ”

Regarding the verse in *Parashat Ha'azinu*, “As an eagle awakens its nest,” Rashi explains that God treats *Am Yisrael* with compassion, just as an eagle has mercy on its young.

How does the eagle express its compassion? Rashi explains that when an eagle “awakens its nest,” the eagle shakes the nest and makes some noise outside before entering, so that the little chicks will wake up and will not be frightened. Only then does the eagle go inside.

Like the eagle and its offspring, Hashem treats *Am Yisrael* in a gentle manner and grants them kindness, incrementally. When one provides abundant aid and comfort, it is essential to be cautious and remember not to give everything all at once, without any apportionment. Even the best things in life might not be well received if not introduced gradually or without proper preparation.



QUESTIONS OF THE WEEK

All answers can be found in this Daf Yomi publication

1. What is the primary topic dealt with in *Masechet Kinnim*?
2. Are *Korbanot Ohf* offered as *Korbanot Tzibur* or *Korbanot Yachid*?
3. Unlawful use of what quantity of a *hekdes* item makes an individual liable for *Dinei Meilah*?

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