



# Likkutei Sichos

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## Sacrificial Wood

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Translated by Rabbi Shmuel Kesselman

General Editor: Rabbi Eliezer Robbins | Copy Editor: Rabbi Y. Eliezer Danzinger  
Content Editor: Rabbi Sholom Zirkind

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## 1.

### PARTNERS IN A WOOD OFFERING

From the verse,<sup>1</sup> “When a person will bring a *minchah* **offering**...”<sup>2</sup> (as opposed to, “When a person will bring a *minchah*”<sup>3</sup>) – *Toras Kohanim* infers that an individual can also pledge frankincense, wine (and oil) which accompany the sacrifices, as well as, wood: “An individual may donate wood.”<sup>4</sup>

*Toras Kohanim* says subsequently:<sup>5</sup> “Just as two people cannot bring a voluntary *minchah* {jointly}, so too, they cannot bring wine, frankincense or wood.”

We need to clarify:

We find occasions that an offering of wood *was* donated jointly – the wood offering of the nine families! As the *mishnah* in *Taanis* says,<sup>6</sup> “There were nine times for the wood offering of *kohanim* and the people....” And the *Gemara* explains:<sup>7</sup>

When the people of the exile ascended,<sup>8</sup> they did not find wood in the Temple chamber. These families came forward and donated their own wood. The prophets among them stipulated that even if the entire chamber was full of wood, these families would donate wood from their own property {on their specific days}. As the verse says:<sup>9</sup> “We cast lots for the wood offering – the *kohanim*, the *levi'im*, and the people – to bring it to the Temple of Hashem, the Temple of our fathers, at appointed times, year by year, to burn on the altar of Hashem, our L-rd, as is written in the Torah.”

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<sup>1</sup> *Vayikra* 2:1.

<sup>2</sup> {Commonly translated as “a meal offering,” it consisted primarily of flour.}

<sup>3</sup> *Sifra*, *Vayikra*, ch. 8, sec. 3. See the comments of *Raavad* and *Rabbeinu Shimshon Mishantz*, *ibid.* {Note that *Sifra* is an alternate title for *Toras Kohanim*.}

<sup>4</sup> *Sifra*, *Vayikra*, ch. 8, sec. 7.

<sup>5</sup> *Sifra*, *Vayikra*, ch. 10 sec. 6.

<sup>6</sup> *Taanis* 26a.

<sup>7</sup> *Taanis* 28a; *Tosefta*, *Taanis*, ch. 3, sec. 5.

<sup>8</sup> {To Jerusalem at the beginning of the Second Temple period.}

<sup>9</sup> *Nechemiah* 10:35.

A simple reading of this narrative, of the relevant verse, and the *mishnah* indicates that the descendants of a particular family brought the wood, all together, as a joint offering of the family.

## 2.

### WOOD SACRIFICES OR WOOD TO BURN SACRIFICES

Ostensibly, we could answer that the law regarding the donation of wood discussed in *Toras Kohanim* refers to a different type of offering than the “wood offering” mentioned in the context of “times for the wood offering of *kohanim* and the people.”

*Toras Kohanim* discusses the wood offering (of an individual, as the wording clearly indicates, “an **individual** may donate”). This wood is then offered as a **sacrifice** on the altar. The law that people may not donate wood jointly applies to this offering. However, “the wood offering of *kohanim* and the people...,” of the nine families, refers (not to wood donated to be offered as a sacrifice, but rather) to wood, to be used for the altar pyre.<sup>10</sup> As it says in the above-mentioned *Beraisa*, “When the people of the exile ascended, they did not find wood in the Temple chamber... as Scripture says,” referring to the wood required for the altar to create a pyre and a fire upon which to offer up sacrifices. This wood may be donated also jointly. (Moreover, in any event, they needed to transfer personal ownership of this wood to the community at large before the communal sacrifices were offered upon its fire, as it says in *Tosefta*.)<sup>11</sup>

But we still need to clarify:

The *Gemara* records a dispute regarding {the parameters of the wood offering that is implied by} the teaching “wood may be donated” {as a sacrificial offering}:<sup>12</sup>

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<sup>10</sup> {In the Hebrew original, “מערכה”; lit. the “arrangement of wood,” on the altar, on which sacrifices were burnt.}

<sup>11</sup> *Tosefta, Taanis*, ch. 3, sec. 5; *Talmud Yerushalmi*, tractate *Shekalim* ch. 4, sec. 1.

<sup>12</sup> *Menachos* 20b; *Menachos* 106b.

A {*minchah*} offering” — {The Rabbis expounded} This {i.e., the superfluous word, “offering”} teaches that wood may be donated.... And so it says {in another verse}: “We cast lots for the wood offering.” Rebbi<sup>13</sup> said : {An offering of} wood is an {actual} offering, and therefore, it requires salt<sup>14</sup> and requires that it be brought near<sup>15</sup> {to the altar}. (Elaborating on this exposition, the *Gemara* continues:) Rava remarked: According to Rebbi’s opinion, wood {brought as an offering also} requires *kemitzah*<sup>16</sup> {like a *minchah*}. Rav Pappa said: According to Rebbi, wood {brought as an offering also} requires {other pieces of} wood {like any other offering}.<sup>17</sup>

Whichever way we look at this, it seems difficult:

If the verse, “we cast lots for the wood offering” {which speaks about the joint wood offering brought by families} refers to the same type of wood offering as the one referred to {in the *Gemara* quoted above} by the law “that wood may be donated,” as in fact the wording of {the question of} the *Tosefta* implies: “Why were the times for the wood offering of the *kohanim* and the people deemed fit to be counted?”<sup>18</sup> (Meaning, since everyone was permitted to donate wood {as sacrifices}, why were the nine occasions on which these nine families brought wood offerings considered special? From this {question of the *Tosefta*}, it is seemingly clear that these two wood offerings were both the same type of offering.) How then could they be offered jointly?

On the flip side, if we will say that according to the Rabbis, these two offerings are two distinct types, as mentioned above, how does the verse, “We cast lots for the wood offering,” prove anything about an individual being able donate wood as an actual sacrifice {since that verse is talking about a donating wood to use as fuel on the altar}?

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<sup>13</sup> {Rabbi Yehudah HaNasi.}

<sup>14</sup> {Salt must be applied to the pieces of wood before burning, just as it is applied to all other offerings.}

<sup>15</sup> {In the original Hebrew, “*hagasha*.”}

<sup>16</sup> {When a person donated a “meal offering,” the *kohen* would scoop up flour with his three middle fingers (besides the pinky and thumb) and burn that flour on the Altar. Similarly, according to the Rebbe, the person donating the wood must chop up a part of the wood offering into splinters, take a *kometz* (three fingers full) of the splinters, and burn it on the altar before burning the rest of the wood.}

<sup>17</sup> {I.e., according to Rebbi, this wood is an actual offering, and is thus burned on the arrangement of wood on the altar, unlike the Sages who maintain that the offering of wood is used for the arrangement of wood on the altar.}

<sup>18</sup> Ibid.; see also *Jerusalem Talmud*, “*Shekalim*,” *ibid.*; *Jerusalem Talmud*, “*Taanis*,” ch. 4, sec. 4; *Jerusalem Talmud*, “*Megillah*,” ch. 1, sec. 4; in the *Babylonian Talmud*, the question is worded: “Why was it necessary to state the times for the wood offering of the *kohanim* and the people?”

Additionally, we need to explain the rationale behind the dispute between Rebbi and the Rabbis. Understood simply, both the Rabbis and Rebbi derive their law from the verse, “a *minchah* offering,” and Rebbi also relies on the verse, “we cast lots for the wood offering.” (For specifically this verse teaches us that wood is called {and has the status of} an offering. Therefore, the phrase “a *minchah* offering” can {also} be interpreted to teach us about the wood offering. {And accordingly, it is clear that even Rebbi relies upon the verse, “We cast lots for the wood offering.})

### 3.

WE ALSO CANNOT RELY ON THOSE WHO INFER THE LAW FROM “CITIZEN”

In light of this, it is evident that we cannot answer the above question (in section 1) according to the following resolution, based on the opinion of some of the commentators:<sup>19</sup> The law that partners may not jointly donate a wood offering only holds true according to those authorities who maintain that the law allowing an individual to pledge frankincense, wine, oil, and wood is derived from the word “offering,” written in the context of the *minchah* offering<sup>20</sup> (for “just as two people may not bring a voluntary *minchah* {jointly}, so they may not bring wine or frankincense or wood.”) However, according to the authorities<sup>21</sup> who derive the law that an individual may donate wine and oil from the word, “citizen,”<sup>22</sup> in the verse, written in the context of libations, these donations do not have the same laws that apply to a *minchah*, and may be donated jointly.

The above question remains unanswered. This answer works well for wine and oil, but {not for wood}: a) The verse, “we cast lots for the wood offering” must fit with all opinions, even with those authorities who maintain that wood may not be offered jointly. b) The *Gemara’s* proposition that (according to one

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<sup>19</sup> See *Peirush Rabbeinu Shimshon Mishantz* commenting on *Toras Kohanim* ch. 10, sec. 6; and *Malbim*, *ibid.* (however, they do not directly employ this rationale to answer the aforementioned question).

<sup>20</sup> As *Toras Kohanim* says, *ibid.* (ch. 8, sec. 3, ff.).

<sup>21</sup> *Menachos* 107a.

<sup>22</sup> *Bamidbar* 15:13 {“Every citizen, when presenting an offering by fire...”}. In the original verse, after the words “every citizen” it says “shall do it in this manner, to offer up a fire offering...”

opinion) the law that “an individual may donate oil” is inferred from the verse “citizen” written in the context of libations, concurs specifically with Rebbi’s opinion. (In contrast, according to the Rabbis, everyone {viz., all the sages of the *Gemara* who are analyzing this dispute} obviously agree that this law is derived from “a *minchah* offering.”) And according to Rebbi’s view, wood offerings may not be donated jointly, for they share the same law as the *minchah*. For this reason, they require salt, being brought near the altar, and *kemitzah*, just like a *minchah*.

#### 4.

*RAMBAM, RITVA, AND RASHI*

There are several opinions explaining the meaning of the wood offering (which is discussed in tractate *Taanis*).

In his *Commentary on Mishnah*,<sup>23</sup> *Rambam* says that on the day when the particular families would bring “wood for the pyre,” “they would bring a voluntary offering as a donation. This is the {meaning of the} wood offerings and the specific times mentioned in the verses in *Ezra*.” And — more specifically — *Rambam* says in *Mishneh Torah*:<sup>24</sup>

What was the wood offering? Certain families had a fixed time when they would go out to the forests and gather wood for the pyre. On the day designated for a family to bring their wood, they would bring voluntary *olos*.<sup>25</sup> This was called the wood offering. This day resembled a festival for these families and so they were forbidden to eulogize, fast, or labor on this day. This practice was considered a custom.

That is, the “wood offering” does not mean offering wood as a sacrifice. Rather, at the designated times when these families brought wood for the pyre, they also brought “voluntary *olos*.” These “voluntary *olos*” were called a “wood offering,” meaning, sacrifices that were brought on account of the wood.

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<sup>23</sup> *Taanis*, ch. 4, *Mishnah* 5.

<sup>24</sup> *Mishneh Torah*, “*Hilchos Klei HaMikdash*,” ch. 6, sec. 9.

<sup>25</sup> {Pl. of *olah*, commonly translated as “an elevation offering,” it was consumed completely on the altar.}

Another approach is offered by *Ritva*:<sup>26</sup>

They would burn some of the extra (alternate version, “donated”) wood by itself on the altar. This was the wood offering. And so it says... two logs were offered with the afternoon *tamid*<sup>27</sup> sacrifice. This proves that this was an actual wood sacrifice.

Meaning, they offered the wood itself as a sacrifice.

Rashi, in his explanation of the *mishnah*, says<sup>28</sup> that on the day when “the *kohanim* and the people would voluntarily bring wood, they would offer a sacrifice on that day. Even if there was plenty of wood available for the pyre, this family would donate and offer on these nine occasions.”

Rashi’s wording seems to imply that he agrees with *Rambam* in that the wood itself was not the sacrifice. Rather, they offered another sacrifice (in conjunction with that) of the wood. As Rashi says elsewhere,<sup>29</sup> “The Jewish families who had set days every year upon which they brought the wood to the Temple for the needs of the pyre, and they would bring a wood offering with the wood.” Rashi, however, does not specify (as *Rambam* does) what kind of sacrifice they brought.

We need to clarify:

a) According to *Rambam* (and Rashi), how do we know that the “wood offering” means (not the literal meaning of the word {i.e., actual wood}, but rather) a sacrifice offered on account of the donation of wood. After all, we find elsewhere that the wood for the pyre is referred to as a sacrifice, as *Rambam* himself clearly says.<sup>30</sup>

b) On the other hand, according to *Ritva* that the wood itself was offered as a sacrifice on the altar, we need to clarify: The *Gemara* explicitly says that these families brought wood because, “they did not find wood in the

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<sup>26</sup> In his comments on the *mishnah* in *Taanis* 26a, quoting “some authorities maintain....”

<sup>27</sup> {The twice-daily communal sacrifice.}

<sup>28</sup> *Taanis* 26a, s.v., “*tishah*.”

<sup>29</sup> *Megillah* 5a; and Rashi commenting on *Rif*, *ibid*, albeit with slightly different wording.

<sup>30</sup> *Mishneh Torah*, “*Hilchos Maaseh HaKarbanos*,” ch. 14, par. 1.

**Temple chamber.** These families arose and donated their own wood. The prophets among them thus stipulated....” Since the reason why they donated the wood was because there was no wood for the **pyre**, we should conclude that they donated their own wood for this purpose {and not to offer the wood itself as a sacrifice}.

c) According to Rashi: What kind of sacrifice did they offer on the altar?

## 5.

A GENERAL DEBATE: REBBI AND THE RABBIS

The explanation:

According to the Rabbis who expound, “*an offering* — this teaches that we may donate wood” we find, generally, two schools of thought regarding the law and definition of the wood. *Rabbeinu Gershom* says,<sup>31</sup> “The *Tanna Kamma*<sup>32</sup> maintains that these logs were brought up as a preparation for the sacrifices on the pyre.” *Rambam’s* wording in his *Commentary on Mishnah*<sup>33</sup> also **implies** the same: “It was imperative to bring two **additional** logs of wood upon the altar, no less....”<sup>34</sup> *Raavad*,<sup>35</sup> however, maintains that according to the Rabbis this wood was offered by itself. However, obviously, even according to *Raavad* we must conclude that (according to the Rabbis) the wood is not a sacrifice in a complete sense (as, in fact, *Rebbi* maintains).

We can posit that this dispute between the Rabbis and *Rebbi* hinges on a general disagreement which we find in numerous places where *Rebbi* engages in a dispute with only another sage, and particularly, when he argues with the Rabbis, as a whole: When we analyze a term from Torah or from our Rabbis (or even common speech, as will be discussed below), do we understand it a)

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<sup>31</sup> Commenting on *Menachos* 106b.

<sup>32</sup> {The first authority mentioned in this *Mishnah*, i.e., the opinion of the Rabbis}

<sup>33</sup> Commenting on *Menachos* ch. 13, *mishnah* 3.

<sup>34</sup> {I.e., *Rambam* is associating the donation of wood, with the two logs that were placed on the altar daily, which was part of the pyre. Indicating that the wood was used for the pyre and were not a sacrifice in of itself.}

<sup>35</sup> In his comments on *Toras Kohanim*, ch. 8, sec. 7.



literally, and b) with all of its details, or can the term be interpreted in a more abstract fashion, containing only some — or even just one — of the elements usually associated with this term .

In our case: According to Rebbi, since we infer from the phrase, “a *minchah offering*” that wood “**is called a offering**,” and {therefore} “we may donate wood,” and moreover, we find a verse that says, “the wood offering,” we interpret this term literally. That is, the wood itself is the sacrifice, and in all aspects, the laws of a sacrifice apply to it. Therefore, Rebbi maintains that the wood offering required salt and had to be brought near the altar, etc. — all the elements of a *minchah*, in the literal sense.

However, the Rabbis maintain that although we expound: “*an offering* — this teaches that we may donate wood,” and the verse calls this “a wood offering,” nonetheless, this does not unequivocally justify the great novelty that wood is to be considered a sacrifice in all respects. It suffices if we introduce the novelty that wood possesses one aspect of a sacrifice, namely, getting burned on the altar, just like a sacrifice, or alternatively — according to *Raavad* — being offered by itself on the altar.

## 6.

### CLARIFYING THE OPINION OF *RAMBAM*

On this basis, we can also understand the matter at hand: Since *Rambam* rules in accordance with the Rabbis {who maintain that the wood offering was not a full-fledged sacrifice} — even if we would interpret their opinion (like the understanding of *Raavad*) that the wood was offered by itself on the altar, nevertheless, since the wood is not a sacrifice in the complete sense — it is unreasonable to think that as a result of this offering, we would establish the day {fixed for donating wood} as a festival, forbidden from fasting and saying eulogies.

Moreover: *Rambam's* words<sup>36</sup> imply that the donation of wood was only meant for the pyre (and this too was sufficient for it to be deemed a sacrifice) {unlike *Raavad* who maintains that the wood was burned by itself}. Accordingly, it is certainly difficult to say that the donation of wood for the pyre was the “wood offering” of the nine families, and the reason for which these days would be considered festivals, forbidden from fasting and eulogies. This wood was merely ancillary to the sacrifices. And at the end of the day, this wood was donated to the larger community. Thus, how could we suggest that as a result {of a donation which was merely ancillary to the sacrifices, and which did not remain in the possession of the family} they would establish this day to be as a festival, on which **the family** {donating wood that day} was forbidden from fasting and eulogizing?

Therefore, *Rambam* maintains that “on the day designated for this family to bring the wood, they would bring voluntary *olos*. This was called the wood offering. And (for this reason,) this day resembled a festival for these families, and they were forbidden to eulogize, fast, or labor on this day.” Meaning, this day was {established as a festival only as} a consequence of the **voluntary *olos***, which were sacrifices in all respects.

That *Rambam* calls these sacrifice “wood offerings” poses no difficulty (although the wood itself was not the sacrifice), for since *Rambam* ruled in accord with the Rabbis who disagree with Rebbi, as mentioned above, who maintain that we can interpret the words of the verse non-literally, the same holds true regarding the phrase “wood offering.” This means (not literally, offering wood as a sacrifice, but rather,) offering voluntary *olos* together with (and as a result of) the wood.

[Furthermore, according to *Rambam*, the issue of the families donating the wood jointly also poses no difficulty. For this wood would be used in the pyre and was not a sacrifice. Therefore, it was allowed to be donated jointly. Similarly, the voluntary *olos* also are allowed to be brought jointly.]

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<sup>36</sup> See *Mishneh Torah*, “*Hilchos Maseh HaKorbanos*,” ch. 14, par. 1; “*Hilchos Bias Mikdash*,” ch. 9, par. 5.

STICKING WITH *PSHAT*

Rashi, however, who throughout his commentary on Torah (and also on *Gemara*) addresses and clarifies ***pshat***<sup>37</sup> (without ruling *halachically*), explains the verse and *Gemara* literally: “A wood offering” does not mean wood for the **pyre**, since the wood for the pyre was not a sacrifice, and obviously, it did not share all the characteristics of a sacrifice. For this reason, Rashi also does not say that the families offered voluntary *olos*, or something to that effect (since [besides the fact that we would then ask, “from where do we know this?”] this does not conform with the simple meaning of the term, “a **wood** offering”).

Therefore, Rashi says in his commentary:<sup>38</sup> “On these nine occasions, the *kohanim* and the people would voluntarily bring wood, and offer a sacrifice on that day. Even if there was plenty of wood available for the pyre, they would **donate** and **offer** on these nine occasions.” Similarly, he says in his comments on a different *mishnah*:<sup>39</sup> “There were Jewish families who had set days every year upon which they brought the wood for the use of the pyre. And they would bring a wood offering with them.” By writing that the families offered a sacrifice, without detailing the specifics of the sacrifice, this indicates that Rashi maintains (i.e., according to the *pshat* of the verses in Torah and the statements of our Rabbis) that the wood itself was the sacrifice. That is, some of the wood was donated for the pyre and some of the wood was offered literally as a sacrifice.

Based on this we can also understand *Ritva*’s interpretation:

They would burn some of the extra (donated) wood by itself on the altar.... This proves that this was an actual sacrifice of wood, and does not {refer to} other sacrifices that were offered on that day.

*Ritva* also agrees that the wood was donated for the pyre, as a plain reading of the sources indicates. But *Ritva* clarifies that this sacrifice was *not* a separate

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<sup>37</sup> {The plain meaning of Scripture. Rashi says in his commentary to *Bereishis* 3:8: “I have come only to explain the plain meaning of the Scripture.”}

<sup>38</sup> Rashi on *Mishnah*, *Taanis* 26a, s.v., “*tishah*.”

<sup>39</sup> *Megillah* 5a; and Rashi commenting on *Rif*, *ibid*, albeit with slightly different wording.

sacrifice (i.e., one of the known types of sacrifices) but rather, it consisted of “the extra (donated) wood” — (some of) the wood donated for the altar was subsequently offered as a “wood sacrifice.”

On this basis, we can appreciate that (according to Rashi and *Ritva*) on these nine occasions, the families donated the wood jointly. This was permitted since this was only done for the wood which was intended for the pyre. However, the wood taken to be offered as a “wood **offering**” on the altar was not donated jointly. Rather, it was donated by each individual separately (although this solution is a bit forced).

## 8.

### *SEDER ZERA'IM*

We can posit, as mentioned above, that in this dispute regarding the wood offering, the opinions of Rebbi and the Rabbis are consistent with their positions found in many places throughout the *Talmud*. To mention a few:

In *Seder Zera'im* (tractate *Berachos*):<sup>40</sup> “

*Shema* {must be recited} as it is written {in Hebrew}; this is the opinion of Rebbi. And the Rabbis say: {It may be recited} in any language.

Rebbi maintains that the obligation to recite *Shema* must be done, in all its details, precisely as these paragraphs appear in Torah, including the detail that it is read “as it is written.”

The Rabbis maintain that to recite *Shema* in any language is acceptable: We do not need to recite *Shema*, “**as it is written.**” Rather, even verbalizing the underlying subject matter of *Shema* is acceptable.

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<sup>40</sup> 13a.

The *Gemara* clarifies the rationale of Rebbi and the Rabbis:

What is the reasoning behind Rebbi's opinion? The verse says:<sup>41</sup> “{And these words, which I command you this day} will be.” *Will be* — as they are, so shall they be. And what is the reasoning behind the Rabbis' opinion? The verse says:<sup>42</sup> “*Hear* {O, *Israel*}” — in any language that you can hear {and understand}.

Although this is the reasoning offered by the *Gemara*, nevertheless, the underlying reason why Rebbi specifically expounds the term, “will be,” and the Rabbis expound, “*Hear* — in any language...,” conforms with their overarching positions.

This is also evident from the subsequent passage in the *Gemara*:

Is that to say that Rebbi maintains that the entire Torah may be recited in any language? For if it should enter your mind to say that the entire Torah may only be recited in Hebrew,<sup>43</sup> why did the Torah have to say: “and they will be”?<sup>44</sup> {The *Gemara* answers:} “and they will be” is necessary because it also says “hear.”<sup>45</sup> Is that to say that the Rabbis maintain that the entire Torah may only be recited in Hebrew? For if it should enter your mind to say that the Torah may be recited in any language, why did the Torah have to say: “hear”? {The *Gemara* answers:} “Hear” is necessary, because it also says “and they will be.”

This discussion illustrates how a logical premise led Rebbi to maintain that *Shema* must be recited “as it is written,” and led the Rabbis to say that it may be said “in any language.” The inferences drawn from the verse serve only to address and negate the opposite conclusion being drawn based on the other verse.

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<sup>41</sup> {*Devarim* 6:6.}

<sup>42</sup> {*Devarim* 6:4.}

<sup>43</sup> {In the Hebrew original, “*lashon haKodesh*,” lit., “the Holy Tongue.”}

<sup>44</sup> {Prohibiting recitation of *Shema* in a language other than Hebrew is superfluous, if indeed one is prohibited from reciting any portion of the Torah in a language other than Hebrew. Since the Torah saw the need to specifically require *Shema* to be recited in Hebrew, it must be because the rest of the Torah may be recited in any language.}

<sup>45</sup> {Had it not been for the phrase: “And they will be,” I would have understood the word “*Shema*,” as allowing *Shema* to be recited in any language, in accordance with the opinion of the Rabbis. Therefore, “and they will be,” was necessary.}

## 9.

### SEDER MOED

In *Seder Moed* (tractate *Sukkah*):<sup>46</sup>

Rebbi says: Any *sukkah* that does not have an area of {at least} four *amos* by four *amos* is invalid. And the Rabbis say: Even if it fits only his head and most of his body, it is valid.

The verse in Torah says,<sup>47</sup> “You shall  **dwell** {*teishvu*, lit., “sit”} in booths for seven days.” The *Gemara*<sup>48</sup> explains, “*You shall dwell* — similar to how you live.” Rebbi maintains that the exposition, “*You shall dwell* — similar to how you live,” should be taken literally and fulfilled in all respects. Therefore, a *sukkah* must measure four square *amos*, similar to {the minimal size of} an actual dwelling. The Rabbis maintain that a *sukkah* does not have to be “similar to how you **live**,” literally, and in all respects. Rather, it suffices if the Sukkah is {just} “**similar** to how you live.” Meaning, the Sukkah just needs to fit the person’s head and most of his body, because this is the size of a temporary shelter, large enough for a person to sit in — “*teishvu*.” The **structure** of the *sukkah*, however, need not also be “similar to how you live.”

## 10.

### SEDER NASHIM

We also find a similar discussion regarding wording used by the average person and its intended meaning, as discussed in *Seder Nashim*:<sup>49</sup>

Rebbi says: Anyone who makes a condition using the phrase, “on condition,” is like one who says: “This agreement will take effect from now.” And the Rabbis disagree.

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<sup>46</sup> *Sukkah* 3a.

<sup>47</sup> *Vayikra* 23:42.

<sup>48</sup> *Sukkah* 28b.

<sup>49</sup> *Gittin* 74a.

For example, if a man says to his wife, “This is your bill of divorce on condition that you give me two hundred *zuz*,”<sup>50</sup> according to Rebbi, she is divorced from the moment her husband hands her the divorce. According to the Rabbis, however, she is divorced only after she gives him two hundred *dinars*.

Rebbi maintains that when a person says something and **actually** does something **at that time** (although he says, “on condition,” relying on a stipulation that will occur later), we take his statement literally and in all respects. Meaning, the action is executed at the time of his statement. It is only that he is adding “on condition” so that she should later fulfill his stipulated condition. Therefore, Rebbi maintains that “anyone who makes a condition with the wording ‘on condition’” is exactly the same as if he would have said, “from now.”

The Rabbis maintain that we cannot innovate (and append) the words “from now” to his statement, even though by not imputing this novelty, his actions and words need to be interpreted in a non-literal manner. Therefore, they maintain that the bill of divorce only takes effect later, when she fulfills the condition.

## 11.

### SEDER NEZIKIN

We find another instance where Rebbi and the Rabbis express their respective viewpoints also in the way one law is derived from another, in *Seder Nezikin* (tractate *Sanhedrin*),<sup>51</sup> when using a *gezeirah shavah*,<sup>52</sup> :

Regarding a person who intentionally committed an act of *me'ilah*.<sup>53</sup> Rebbi says {that he is punished with} death {by the hand of Heaven}, and the Rabbis say {that he is liable for violating} a prohibition. What is Rebbi's rationale? Rabbi Abbahu says: He

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<sup>50</sup> {Talmudic era currency.}

<sup>51</sup> *Sanhedrin* 84a.

<sup>52</sup> {*Gezeira shavah* is an analogy whereby details provided in one verse are applied to another verse on the basis of the two verses sharing a similar word.}

<sup>53</sup> {Lit. “misappropriation”; personal use of consecrated items designated for the *Beis HaMikdash*.}

expounded “sin,”<sup>54</sup> “sin,”<sup>55</sup> from the law of *terumah*. Just as there {in the case of *terumah*}, the punishment is death, so, too, here, {in the case of misappropriation} the punishment is death. And the Rabbis say that the verse says {with regard to *terumah*}: “Because of it” — {for} “it” {the punishment is death} but *not* for *me’ilah*.

Rebbi maintains that since the entire law of *me’ilah* is derived from a *gezeirah shavah* comparison to *terumah*, we must conclude that the Torah intended a straightforward comparison in all respects, even with respect to death. In contrast, according to the Rabbis, granted they agree that we derive the law of *me’ilah* from the “sin,” “sin” *gezeira shavah* comparison to *terumah*, which in fact provides the source for the prohibition of “a person who intentionally committed an act of *me’ilah*.” Nonetheless, since, in their opinion, the deduction (*gezeirah shava*) is not necessarily straightforward and applicable to all respects, they maintain that since we find a {Scriptural} exclusion implied by {the restrictive wording} “because of it,” we apply this exclusion to “a person who **intentionally** did an act *me’ilah*” — excluding him from death.

## 12.

### SEDER KODSHIM

On this basis, we can posit that the above dispute between Rebbi and the Rabbis, where both authorities follow their consistent position, also plays itself out in a dispute not involving the Rabbis, but rather, in a case where an individual Sage has a dispute with Rebbi. (Meaning, the Sage disagreeing with Rebbi follows the position of the Rabbis in the above dispute.)

In *Seder Kodshim* (tractate *Menachos*):<sup>56</sup>

Regarding {Temple} service utensils which were made out of wood: Rebbi deems them to be invalid, and Rabbi Yosef son of Rabbi Yehuda deems them to be valid. What is the basis of their dispute? Rebbi interprets {the relevant} verses by means of the principle

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<sup>54</sup> *Vayikra* 5:15.

<sup>55</sup> *Vayikra* 22:9. {The law of a *kohein* who is impure who partakes of *terumah*: “They shall protect My charge and not bear a sin thereby and die because of it....”}

<sup>56</sup> *Menachos* 28b.



of *generalizations-and-specifications*, and Rabbi Yosef son of Rabbi Yehuda, interprets verses by means of the principle of *amplifications-and-restrictions*. Rebbi interprets verses by means of the principle of *generalizations-and-specifications*, as follows: {Scripture says:}<sup>57</sup> “And you will make a *menorah*” — a generalization; “of pure gold” — a specification; “of beaten work will the *menorah* be made” — a further generalization. When a generalization is followed by a specification and then again by a generalization, the law is applicable only to such cases which are like the specification: Just as the specification is clearly defined as a type of metal, so, too, all other types of metal {are valid for making the *menorah*}. Rabbi Yosef son of Rabbi Yehuda interprets verses by means of the principle of *amplifications-and-restrictions*, as follows: “And you will make a *menorah*” — an amplification; “pure gold” — a restriction; “of beaten work will the *menorah* be made” — an amplification. When an amplification is followed by a restriction, and then again by an amplification, it amplifies in order to include everything. And what does the verse include? It includes all materials. And what did the verse exclude with this restriction? It excluded earthenware.

Rebbi — who maintains that an inference and an inclusion should be (as) straightforward (as possible) and as similar to the source in as many details as possible — expounds using the method of generalizations-and-specifications, since this {method of exposition} includes only things that **resemble the specification** — similar to the specification.

Rabbi Yosef son of Rabbi Yehuda follows the position of the Rabbis who disagree with Rebbi. Therefore, even when an entity is comparable to the model entity even in one respect, or the like, it shares a connection with it, and can adopt the name of the model entity (as in our case, regarding the name of the “wood offering” {as explained in Sections 6-7 above}.) Accordingly, he expounds in the manner of amplifications-and-restrictions, since this {method of learning} includes all things, even items that are dissimilar to the source-detail. This method only excludes earthenware, which is {totally dissimilar to the source-detail, since it is} “inferior to all other utensils and not fit even for a mortal king.”<sup>58</sup>

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<sup>57</sup> {*Shemos* 25:31.}

<sup>58</sup> *Rashi* on *Menachos* 28b, s.v., “*shel cheres*.”

## 13.

### SEDER TAHAROS

#### A case in {*Seder*} *Taharos*.<sup>59</sup>

Regarding someone who enters the “land of the nations”<sup>60</sup> in a carriage, a crate, or a cupboard: Rebbi renders him ritually impure; Rabbi Yossi BeRebbi Yehuda declares him pure. What is the basis of their dispute? One Sage maintains that a moving tent is not considered a tent.<sup>61</sup> And the other Sage maintains that a moving tent is considered a tent.<sup>62</sup>

Rebbi maintains that in order for a tent to shield a person from impurity, it must resemble a tent (in all respects) — it cannot be moving. Only then does it attain the status of a tent that shields a person from the impurity. In contrast, Rabbi Yossi BeRebbi Yehuda maintains that although a moving tent is not similar to a tent in all respects, since it is likewise a self-contained space, it therefore has the status of a tent and can shield against impurity, and so a person inside the tent remains pure. This accords with the opinion of the Rabbis, as discussed above.

— Based on talks delivered on the 20th of *Av*, 5732 (1972)

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<sup>59</sup> *Eruvin* 30b.

<sup>60</sup> {I.e., he leaves the land of Israel. The Sages decreed that rabbinically, the land and the air outside of the land of Israel confers ritual impurity.}

<sup>61</sup> {The principle is that only something fixed can shield against ritual impurity, but if one is situated inside a portable vessel, the vessel contracts impurity and he becomes impure along with it.}

<sup>62</sup> {And it shields the person inside from contracting ritual impurity.}