

29.6.7

71a (משנה ח) → 72b (סיום הפרק)

1. דבר אל בני ישראל ואמרת אליהם כי תבאו אל הארץ אשר אני נתן לכם וקצרתם את קצירה והבאתם את עמר ראשית קצירכם אל הפה: ויקרא כג, י
 2. ואם תקריב מנחת בפורים לה' אביב קלוי באש גרש כרמל תקריב את מנחת בפורים: ויקרא ג, יד
 3. וידבר משה את מעדי ה' אל בני ישראל: ויקרא כג, מד
 4. בארבעה עשר יום בחדש הזה בין הערבים תעשו אתו במועדו ככל חקתיו וככל משפטיו תעשו אתו: במדבר ט, ג
 5. צו את בני ישראל ואמרת אליהם את קרבני לחמי לאשי ריח ניחחי תשמרו להקריב לי במועדו: במדבר כח, ב
 6. אלה תעשו לה' במועדיכם לבד מנדריכם ונדבתים לעלתיכם ולמנחתים ולנסכים ולשלמים: במדבר כט, לט

I עמר: permitted cutting before משנה ח'

- a *Areas*: irrigated fields in the valleys (עמר) may be cut, but not piled up
 i *Source (for permission to cut)*: v. 1 resolved – only that which **may** be brought **may not** be cut beforehand
 ii *Challenge*: perhaps it only refers to barley (only kind to be brought for עמר)
 1 *Defense*: ר' יוחנן used ראשית:ראשית to tie קצירה to all five kinds of grain (above, p. 61)
 b *Illustration*: people of יריחו would cut (before עמר) with approval of ב"ד; would pile w/o approval, but without protest
 i *Challenge*: version involving "protest" is יהודה ר' (contra ר"מ, below); in his version, חכמים disapproved of קצירה
 1 *Background*: 6 customs of יריחו – אנשי יריחו – work on ע"פ, reading שמע without breaks between words, cut before עמר; pile up grain before עמר, permit use of branches of הקדש-trees and leave opening for poor to come and take food on שבת ויר"ט during drought years
 (a) ד"מ: first three were with approval of חכמים; last three were against their wishes, but they didn't protest
 (b) ד"י: all were against wishes of חכמים, but they didn't protest 1st three (including piling); protested last two plus giving the poor פאה from vegetables
 (i) *Note*: there aren't 6 here – there are 7!
 (ii) *Rather*: קצירה should be off of ר"י's list (חכמים approved, per our משנה; disapprove/no protest piling)
 c *Animal food*: may be cut
 i ד"י יהודה: only if it hasn't yet grown to 1/3
 ii ד"ש: even if it already grew to 1/3
 1 *Backdoor*: ר"מ/חכמים (פאה ב:א) – whether cutting part of a field for straw is considered the beginning of קצירה (חכמים) or not (ר"מ), and therefore constitutes a divider in field → פאות 2
 (a) *Comment* (ר' יוחנן) ר"מ follows ר"ש in our משנה – cutting for straw isn't "קצירה" (→ עמר מותר before עמר)
 (i) *Challenge* (לרבא) where ר"מ agrees that if row cut down by locusts, ants or wind – considered קצירה (unless he plows it) and all one פאה
 1. *Comment*: ר"מ must hold that the ברייתא is after 1/3 growth and פאה ב:א is before 1/3 – like יהודה ר'
 2. *However*: ר"מ only allowed for cutting for animal – ר"מ even for people
 (b) *Rather* (ר' דימי) ר"מ follows ר"ע – (פאה ג:א) – if he selectively cuts parts of field, ר"ע – separate פאה from each
 (i) ר"ע שמואל only ruled that it isn't קצירה if he's cutting to get it before ripening (for toasting), not לאוצר
 (ii) *Challenge*: ר' יוחנן ruled that ר"ע extended his ruling even לאוצר
 1. *Answer*: ר"מ accepts ר"ע for part (מנמר) but not fully (לאוצר)

II משנה ט': additional laws related to קצירת העמר and prohibited cutting beforehand

- a *additional circumstances*: where cutting before עמר is permitted
 i *For other growth*: to make rooms for saplings to grow (have to cut anyways due to כלאים)
 ii *For מצוה*: to make room for אבלים or for בית מדרש
 1 *Source*: v. 1 קצירכם – but not מצווה קציר
 2 *In all these cases*: may not bind them together, but leave as piles – no reason to add unnecessary steps of קצירה
 b *Ideal and acceptable*: all based on v. 2 – ואם תקריב (superfluous, as repeated at end)
 i *Stalks*: ideally, cut from stalks; if all barley already cut, take from sheaves
 ii *Moist*: ideally, barley should be moist; if all barley is dry – bring that
 iii *Nighttime*: ideally, should be cut on night of 16th; if cut during the day, valid
 c *שבת*: קרבן העמר is performed even on שבת
 i *Also* (ברייתא): brought בטומאה – all based on תקריב (as per above)

III Extended discussion about acceptability of עמר which is cut during the day

- a *Challenge*: ב:ו מגילה lists two מצוות that apply at night – and may be done any time during the night (inc. קצירת העמר)
- i *And*: end of משנה presents rule, comparing מצוות הלילה to מצוות היום
- 1 *Inference*: just as daytime מצוות may not be done at night, same should apply – קצירת העמר should be ביום פסול
- b *Answer*: our משנה follows רבי ב:ו; רבי מגילה ב:ו follows ר"ש
- i *ברייתא*: if he was offering קרבן העמר and it became טמא
- 1 *דבי*: if there is other barley available, cut it and offer in lieu
- (a) *Inference*: רבי is author of our משנה, allowing נקצר ביום
- 2 *דאב"ש*: even if other barley available, use original
- (a) *Inference*: ר"ש holds that נקצר ביום פסול – must be author of ב:ו מגילה
- (b) *Note* (ר' יוחנן): ר"ש is following...
- (i) *ר"ע* (his father's teacher): who rules (שבת י"א) that in a case where שבת may be violated (e.g. ברית מילה), any מלאכה that could have been done before שבת doesn't trump שבת
- (ii) *ד' ישמעאל*: who holds (in re: בחריש וקציר תשבות) that קצירת העמר is an affirmative מצוה
- (iii) *Therefore*: since the cutting trumps שבת, it follows that it may not be done any other time
- (c) *Challenge*: רבי was also ר"ש's student (per his testimony about passing towels "around" רה"ר (שבת on רה"ר))
- (d) *Answer*: רבי was following another ruling of ר"ש:
- (i) *ר"ש*: performing a מצוה in the correct time is so precious, that we even violate שבת to do so
1. *Example*: burning חלבים ואברים of afternoon תמיד on שבת, which could wait until מוצ"ש – but is burnt on שבת
- (e) *Challenge*: doesn't ר"ש know of that ruling (of his father's)?
- (i) *Answer*: he'll see them as disanalogous – in the case of the תמיד, שבת was already "trumped" – שחיטה
- (ii) *Challenge*: to רבי – he must acknowledge that they are disanalogous, rather....
- c *Answer2*: רבי maintains that קצירת העמר does **not** trump שבת
- i *Challenges*: series of our משניות (3 סאין, 3 cutters, "שבת זר") which indicate cutting on שבת
- 1 *Defense*: רבי subscribes to none of them
- 2 *Challenge*: our משנה, which follows רבי – (נקצר ביום כשר) – דוחה את השבת
- (a) *Defense*: that refers to offering, not cutting
- (b) *Challenge*: רבי infers, from vv. 3-6 that all קרבנות צבור, even עמר and that (lamb) brought with it, שתי הלחם, and those (lambs) brought with them – trump שבת
- (i) *clarification*: שתי הלחם must refer to milling and threshing (it isn't "offered"); parallel – קצירת העמר
- (ii) *block*: עמר – means offering and שתי הלחם – means baking (all else done before שבת)
1. *Reason*: רבי holds that the oven (baking) is מקדש; if baked שבועות ערב, become invalid per לינה
2. *Challenge*: רבי holds that שחיטת הכבשים sanctifies bread – not the baking
3. *Answer* (רנב"י): שחיטה irrevocably designates bread for שתי הלחם; baking is מקדש them