



Which Edut?

The sixth *perek* of *Eduyot* opens with the five cases that constituted the *edut* (testimony) of *R' Yehuda ben Bava*. The final one relates to the law that the *korban tamid* – the daily offering – may be offered during the fourth hour of the day.

The *Rambam* cites the *Yerushalmi*, that comments that this testimony related to an incident during the second *Beit HaMikdash*, when *Yerushalaim* was under siege. The residents would lower money outside the wall in order to purchase the animals for the daily *korbanot*. During one of the days, goats instead of lambs were returned, which could not be used for the *korban tamid*. In the end, they were able to find the required animals, yet it was already the fourth hour. It was that case that was the basis of the testimony.

The *Lechem Mishnah* (*Temidin* 1:2) notes that the testimony was important since the latest time to offer the *korban tamid* is the subject of debate; *R' Yehuda* rules four hours into the day, while the *Chachamim* argue it can be offered until midday. This testimony asserts that we rule according to *R' Yehuda's* opinion.

That said, the *Lechem Mishnah* cites the *Raavad* who argues that it must be that the *edut* was based on hearing the *halachic* ruling rather than seeing the incident. Seeing that it was offered during the fourth hours alone, would not mean that it could not have been offered in the fifth or sixth.

The difficulty is, that in the *Rambam's* comment on the *Mishnah* (cited above) he explains that *R' Yehuda ben Bava* testified about that very incident. In truth, the *Charedim* (*Yerushalmi Berachot* 4:1) explains that the *Chachamim* were also aware of the incident yet argued that had they found the *korban* in the fifth hour the ruling would have been the same. The *Lechem Mishnah* therefore adds that according to the *Rambam*, we must explain that *R' Yehuda ben Bava* was also present during the *halachic* deliberation of whether it could be offered at that time.

The *Beit Shaul* however questions why this incident was the basis of the *edut*. Firstly, there is no mention of the time the *korban* was offered in the *Yerushalmi's* account. Secondly, the *Midrash* (e.g. *Bamidbar Raba* 10:4) comments that it was during the time of *Shlomo HaMelech* where the question of whether the *korban tamid* could be offered during the fourth hour was resolved. *R' Yonah* (*Rif Berachot* 18n) also cites this *Midrash* and explains that *R' Yehuda ben Bava* had a tradition regarding this *Midrash* which he presented as his *edut*. Why then does the *Rambam* not also cite this earlier incident? The *Beit Shaul* leaves the question unresolved.

Perhaps we can explain the *Rambam*, using the comment of the *Lechem Mishnah* above while resolving the *Midrash* and *Yerushalmi*. One could suggest that the question was first addressed in the time of *Shlomo HaMelech* and resolved. Yet, from that point, the *korban tamid* was always offered at the earliest opportunity. It was not until the second incident that the question was raised again. It was at that time that, according to the *Rambam*, *R' Yehuda ben Bava* was present. There, during the deliberation, he heard of the tradition that the *halacha* was already established at the time of *Shlomo HaMelech*. According to the *Rambam*, *R' Yehuda ben Bava* would then have testified that he was present on the day of the second incident when they resolved that the *halacha* was that the *korban* could be offered in the fourth hour (only) – based on tradition of a similar dilemma in the time of *Shlomo HaMelech*.

Based on this, we can explain that the *Midrash* was focused on the behaviour of *Shlomo HaMelech* during the inauguration of the *Beit HaMikdash*. Consequently, having described that dilemma, it explains that it was the basis of the *edut*. The *Yerushalmi* however is focused on the legal debate regarding the latest time to offer the *korban tamid*. Consequently, it points to the *edut* – the substance of the testimony itself – which was about that day during the time of the second *Beit HaMikdash*. (This then explains why the *Rambam*, when explaining our *Mishnah*, in the context of *Masechet Eduyot*, chose the *Yerushalmi*.)

Revision Questions

עדיית ו'א: ח – ב'ב:

- Which animal did *R' Yehuda ben Bava* testify committed a capital offence and was punished with stoning? (א: ו')
- What were the other four laws that *R' Yehuda ben Bava* presented? (א: ו')
- Explain the debate regarding whether a limb from a corpse can be a source of *tum'ah*. (ב: ו')
- According to *R' Eliezer* what is a greater source of *tum'ah*, a live person or a corpse? (Explain) (ב: ו')
- What are the three opinions (*R' Eliezer*, *R' Yehoshua* and *R' Nechunya*) regarding *kezayit basar min ha'chai* and *etzem ke'seorah min ha'chai* and explain the rationale behind each of those opinions? (ג: ו')
- Explain the debate regarding a *peter chamor* that is lost. (א: ו')
- What did *R' Tzadok* testify regarding:
 - *Tzir* from *chagavim te'emeim* and how did it differ from the *mishnah rishona*? (ב: ו')
 - A body of water where the *zochalin* is more than the *notfim* and why is this law important? (ג: ו')
 - *Zochalin* that pass over the "aleh" of a nut? (Explain) (ד: ו')
- What is a *kalal shel chatat* and what did *R' Yehoshua* and *R' Yakim* testify regarding if it is place on top of a *sheretz*? (ה: ו')
- Who disagrees with the previous law? (ה: ו')
- If someone accepted two terms of *nezirut* what, *bedi'eved* could be the minimum length of his *nezirut*? (ה: ו')
- Explain the debate regarding what is done with the offspring of a *shlamim* offering. (What case did *R' Papyas* bring as support?) (ו: ו')
- What did *R' Yehoshua* and *R' Papyas* testify regarding *Aruchot shel Nachtomim*? (ו: ו')
- What other case was debated in a similar manner? (ו: ו')
- How late did *R' Yehoshua* and *R' Papyas* maintain that *Beit Din* could declare a year a leap year and how did they differ from the *Chachamim*? (ו: ו')
- What other innovation did they present regarding the law in the previous question? (ו: ו')
- About what two items did *Menachem ben Signai* testify in opposition to the *Chachamim*, one of which *tameh* and the other *tahor*? (ז: ו')
- About which four things did *R' Nechunya ben Gudgedah* testify? (ט: ו')
- How does *R' Yehoshua ben Beteira* rule regarding the earlier debate (5:1) between *Beit Shammai* and *Beit Hillel* concerning the blood of a *neveilah*? (א: ח')
- Regarding what does *R' Shimon ben Beteira* rule:
 "נגע טמא בקצתו טמא כולו"
 and how does *R' Akiva* expand this rule? (א: ח')
- Which one of *R' Nechunya's* laws (7:9), do *R' Yehuda ben Beteira* and *R' Yehuda HaKohen* also bring and what do they add? (ב: ח')
- Regarding the case that *R' Yosi HaKohen* and *R' Zecharya ben haKatzav* presented, why did the family in *Ashkelon* distance themselves from one of their members and how did the *Chachamim* respond? (ב: ח')

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Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
21 July י"ח תמוז	22 July י"ט תמוז	23 July כ' תמוז	24 July כ"א תמוז	25 July כ"ב תמוז	26 July כ"ג תמוז	27 July כ"ד תמוז
Eduyot 8:3-4	Eduyot 8:5-6	Eduyot 8:7 - Avodah Zara 1:1	Avodah Zara 1:2-3	Avodah Zara 1:4-5	Avodah Zara 1:6-7	Avodah Zara 1:8-9

