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Yoma Daf 41

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When bringing one bird for a *chatas* (sin offering) and one bird as an *olah* (burnt offering), one can only determine which bird is for which sacrifice at the time of purchase, or at the time the kohen does the sacrifice.

There are certain times when one is obligated to bring two bird offerings, one *chatas* and one *olah*. One example of such a person is a woman who has given birth, and cannot afford a lamb. The Torah says she should purchase two birds, and the kohen will make one a *chatas* and one an *olah*. From here the Gemora derives that one can only designate which bird is for which korban at the time of purchase, or at the time the sacrifice is offered.

The Baraisa raises the possibility that the one can determine which goat is brought as a sacrifice and which is sent to the wilderness by designating it when it was purchased or sacrificed.

The Baraisa has a *hava amina* (initial opinion) that the goats can be designated through lottery or through simply designating by saying which is which.

The Baraisa rejects this and determines that only a lottery can designate this sacrifice.

It seems that the Baraisa understood in the *hava amina* that the designation of the goats can be at the time when the lottery would have taken place, which is neither when the goats were bought, nor when they were sacrificed. This contradicts what was learned earlier that the only time of designation is the time of purchase or the time of sacrifice.

The Gemora answers that the Baraisa was only raising the possibility that the goats could be designated without a lottery at purchase or when the animal was offered, and this possibility is rejected.

A poor man, who designated money to bring one bird as a *chatas* and one bird as a *olah*, when he becomes wealthy, he must add to the money designated in order bring a sheep.

A person who accidentally enters the Temple while he's impure must bring a lamb as a *chatas*. If he cannot afford a lamb, he is obligated to bring two birds, one as a *chatas* and one as an *olah*.

The Gemora says that if a poor man designates some money for the *olah* and some money for the *chatas*

and then becomes wealthy, he must add to the money designated for the *chatas* in order to buy a lamb. The money designated for the *olah* cannot be used for his new obligation, because it has already been set aside for an *olah*, and cannot be switched to buy a *chatas*.

When a poor man used the money to buy one bird and then becomes wealthy, the halachah will depend on whether he bought the *chatas* or the *olah*.

If the man purchased the *olah*, he must add to the money still left to buy a lamb for a *chatas*. The *olah*, since no longer needed (when one brings a lamb there is no *olah*), can be brought as a voluntary sacrifice. If the bird bought was a *chatas*, it must be left to die, and new money must be used to buy the lamb, since the money left to buy the *olah* cannot be used for a *chatas*.

A strip of wool must be tied to the neck of the goat designated to be a sacrifice to Hashem.

The Mishna says that the goat designated to be sent to the wilderness has a strip of wool tied to his horn, and must be placed next to the gate leading to the wilderness. When the Mishna speaks about the goat designated as a sacrifice, however, it is unclear whether it means it has to be placed near the place it

will be slaughtered, or a strip of wool has to be tied to its neck, the place of slaughter.

The Gemora brings a proof that the wool has to be tied to the goat's neck. The Baraisa says the purpose of this procedure was to ensure that the goats do not get mixed up with each other or any other goat. If this is referring to placing the animal in the place where it will be slaughtered, the animals would not become mixed up with each other, because one has a tie and one does not. There, however, is no guarantee that the goat designated as a sacrifice would not become mixed up with other animal since it has no tie. Therefore, it must be that a strip of wool was tied around the goat's neck.

INSIGHT TO THE DAF

The connection between the bird brought as an olah and the bird brought as a chatas

Our Gemora states that when one is obligated to bring two bird offerings, one *olah* and one *chatas*, they can only be designated for their respective offerings at the time of purchase or at the time of sacrifice, not in between. The Gemora then assumes that the same rule should apply with the two goats brought on Yom Kippur.

There is a disagreement amongst Rishonim whether this rule only applies to birds, or is it applied to other animals as well.

Tosafos elsewhere holds this that rule only applies to birds. Why then does the Gemora apply it to the goats of Yom Kippur?

Rav Eliashiv answers this question based on the Ibn Ezra. The Ibn Ezra asks: why is it that only a bird *chata* requires an *olah* with it, while a *chata* from other animals, do not. He answers that while the limbs of the other *chataos* are burnt on the Altar, the bird *chata* is not. Therefore, it requires an *olah* with it, in order to have an offering actually burnt on the Altar. (An *olah* is entirely burnt on the Altar.)

Rav Eliashiv suggests that this is the reason the birds can only be designated at certain time, for they are inherently linked. The *olah* merely was brought to supplement an aspect which the *chata* lacked. Therefore, it is difficult to separate them.

He then applies the same reasoning to the goats of Yom Kippur. Since the Torah says we should take the two goats as one, they are considered a unit, and we can apply the rule to them that they can only be separated when bought or when sacrificed.

DAILY MASHAL

Pauper bringing the Korban of the rich Person

The Gemora quotes a Mishna in Negaim that if a poor person who is a metzora brings the korban that a rich person is supposed to bring, he fulfills his obligation.

The Chinuch (123) states by a korban *oleh v'yoreid* - (certain sins which require a korban *chata*, he either

brings an animal, bird or flour offering depending on his status - this is called a fluctuating korban) if a poor person brings the korban of a wealthy person, he does not fulfill his obligation. The Chinuch explains the reason: the Torah had compassion on the poor person; it is not proper for him to compel himself to bring a korban which he cannot afford. How can the Chinuch hold against the Mishna, which explicitly states that he does fulfill his obligation?

The Chasam Sofer answers based on a Gemora Shabbos that states that Hashem punishes each person according to what he can afford. A rich person who sins will lose his cow. A poor person, on the other hand, will lose his chicken or some eggs. Therefore, there is a distinction between the korban of a metzora or *yolede* (a woman who gave birth) and the korban *oleh v'yoreid*. A metzora is not required to bring a korban because he sinned, it is to purify him and allow him to eat *kodoshim*. If a poor metzora decides to bring the rich man's korban, he will have discharged his obligation. Conversely, a sinner who does that will not have discharged his obligation, for here the Torah prescribed for him the korban which will give him atonement according to his status. The korban is in place of the punishment. It is not decided by the pauper what his punishment should be and therefore when he brings the korban of a wealthy person, he does not fulfill his obligation.

The Sfas Emes (here and quoted in Moadim U'zmanim as a story which occurred by a Kenesiyah Gedolah) answers that there is a basic distinction. A metzora, disregarding if he is a rich person or a pauper, is required to bring a *chata* and an *olah*. The rich man brings animals and the pauper brings birds.



If the pauper brings the korban of a rich person, he fulfills his obligation, for he brought the prescribed amount. A korban oleh v'yoreid is different. A rich person brings an animal for a korban chatas and a pauper brings two birds, one for a chatas and one for an olah. If a pauper will force himself to bring the korban of a wealthy person, he will not fulfill his obligation because he cheated the Altar out of one korban - namely the olah.

There are two questions on this explanation (look in Shemuas Chaim and in Mitzvas Hamelech from Harav Ezriel Cziment). Firstly, the Chinuch says a different reason for his not having discharged his obligation. He says that it is because the Torah doesn't want the pauper to overburden himself. He does not say the reason of the Sfas Emes that he missed a korban? Secondly, one must ask, why is it that a pauper is required to bring two sacrifices and a rich person only brings one? The Ibn Ezra explains the reason for this: A bird chatas is completely eaten and a bird olah is completely burned on the Altar. These two birds together replace a regular korban which entails human consumption and consumption of the Altar. They are actually one korban. Therefore, one can say that the pauper is not missing a korban by bringing one animal instead of two birds?

It would seem, however, that this question can be answered. Even according to the Ibn Ezra, the two birds are not one korban. They are two offerings complimenting one another. The rationale behind bringing the two offerings could be because the Torah wants human consumption and consumption of the Altar, nevertheless, it is still two offerings and

the pauper is missing one korban when he brings the korban of a wealthy person.