

Daf Notes

Insights into the Daily Daf

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Daily Daf

Chatas for Cheilev – How Many?

The *Mishna* had stated: One who eats *cheilev* (*forbidden fats*) is subject to *kares*.

The *Gemora* cites a *braisa*: *The cheilev of ox, sheep or goat, you shall not eat*. This intimates that one is liable to a separate set of lashes for each of these species; these are the words of Rabbi Yishmael. But the Sages say: One is liable only once.

The *Gemora* asks that perhaps the difference of opinion is based on the following principle: Rabbi Yishmael holds one is liable to lashes for a general prohibition (*and therefore he incurs three sets of lashes*), while the Sages hold that one is not liable to lashes (*for each one, but rather, he incurs one set of lashes for them all*)? [A *lav sheb'chlolus* - *generalized prohibition is one that incorporates several prohibitions. Perhaps the Sages maintain that one cannot receive lashes on account of this verse, for it includes the prohibition against eating cheilev from an ox, sheep and goat; he does, however, receive one set of lashes.*]

The *Gemora* disagrees and states that Rabbi Yishmael indeed holds that one is ordinarily not liable to lashes for a general prohibition, but our case is an exception, because the verse is superfluous, for it should have said: *Any cheilev you shall not eat*. Why specify '*ox, sheep or goat*,' if not for the purpose of establishing a separate prohibition for each of them (*and a separate set of lashes for each of them*)!?

The Sages, however, argue and say that if '*ox, sheep or goat*' were not mentioned, I might have said that also the *cheilev* of a nondomestic animal is included; it is for this reason that '*ox, sheep or goat*' was written. This tells us that only the *cheilev* of ox, sheep or goat is forbidden, but that of a nondomestic animal is permitted.

Based on the Sages' argument, the *Gemora* revises Rabbi Yishmael's reasoning, and explains as follows: The verse is still superfluous, for it should have said: *Any cheilev of ox you shall not eat*. Why specify '*sheep or goat*,' if not for the purpose of establishing a separate prohibition for each of them (*and a separate set of lashes for each of them*)!?

The Sages, however, argue and say that if '*sheep or goat*' were not mentioned, I might have thought that the term '*ox*' here was to be analogous (*through a gezeirah shavah*) to '*ox*' mentioned in connection with *Shabbos* (*when the Torah commands a person to make sure that his animals do not perform any labor on the Shabbos*): just as in the case of *Shabbos*, the nondomestic animal and the fowl were included, so also in connection with the eating of *cheilev*, the nondomestic animal and the fowl should be included; it is for this reason that '*ox, sheep or goat*' were mentioned, to teach us that only the *cheilev* of these is forbidden, but that of the nondomestic animal and the fowl is permitted.

Based on the Sages' argument, the *Gemora* revises Rabbi Yishmael's reasoning, and explains as follows: The verse is still superfluous, for it should have said: *Any cheilev of sheep you shall not eat*, or alternatively, it could have said: *Any cheilev of*

goat you shall not eat. Why specify 'ox, sheep or goat,' if not for the purpose of establishing a separate prohibition for each of them (and a separate set of lashes for each of them)!?

The Sages, however, argue and say that if it would have said: *Any cheilev of sheep*, I might have thought that the *cheilev* of sheep was forbidden, but that of an ox and goat was permitted. And if you were to ask, what is stricter about sheep that it should be forbidden, I would answer that it is because it was singled out in that its fat tail is offered upon the altar (which is not the *halachah* by all other animals), for a *braisa* was taught by Rabbi Chananya: Why has the Torah enumerated separately the sacrificial parts of the ox, and the sacrificial parts of the sheep and the sacrificial parts of the goat, as it is written: *But the firstborn of an ox*, etc. [or the *firstborn of a sheep or the firstborn of a goat ... and their fat you shall burn* etc.].? It is necessary; for if 'ox' alone was written, I would not have derived 'sheep' and 'goat' from it, for I might ask that 'ox' is different, since it has an increased amount of libations (for the sacrifice of an ox, half a *hin* of wine is offered up on the altar, whereas a sheep and goat only have a fourth of a *hin*). Had the Torah written only 'sheep,' so that 'ox' and 'goat' should be derived from it, I might ask that 'sheep' is different, since it was singled out in that its fat tail is offered upon the altar. And had the Torah written only 'goat,' so that 'ox' and 'sheep' should be derived from it, I might ask that 'goat' is different, since it was singled out as the offering for idolatry. We therefore cannot derive two from any single one. But why didn't the Torah mention two and we might have derived the third from them? The *Gemora* analyzes: Which one (should have been omitted)? Shall we derive 'ox' from 'sheep' and 'goat'? I might ask that 'sheep' and 'goat' are different, since they were both singled out to be offered as a *pesach* sacrifice. If the Torah would not have written 'sheep,' leaving us to derive it from 'ox' and 'goat,' I would ask that 'ox' and 'goat' are different, since they were both singled out as offerings for idolatry (a goat by an individual, and an ox when the public sins). If it would not have written 'goat,' leaving us to derive it from 'ox' and 'sheep,' I would ask that 'ox' and 'sheep' are different in that they were both singled out in expanded aspect regarding the altar (the sheep with its fat tail, and the ox regarding libations). Therefore they cannot be derived one from each other. [Accordingly, the same would apply regarding the prohibition of eating *cheilev*.]

Based on the Sages' argument, the *Gemora* returns to its original understanding of Rabbi Yishmael that if it were so (that one would only be liable for one *chataf* for all three), the Torah should have written: *Any cheilev you shall not eat*, and

no more; and as to your objection that the mention of 'ox,' 'sheep' and 'goat' was necessary to teach that the *cheilev* of a nondomestic animal is permitted, surely the verse (*being discussed*) occurs in connection with consecrated animals (and a nondomestic animal cannot be offered as a sacrifice), and a law is always illuminated by its context. [It emerges that the extra words teach us that one is liable for all three, and the context teach us that the prohibition of *cheilev* does not apply to a nondomestic animal.]

The *Gemora* asks: This implies that the Sages do not hold that a law is illuminated by its context (but this is one of the thirteen hermeneutic principles, which cannot be disputed)?

The *Gemora* answers: No, all agree that a law is illuminated by its context, but here they differ regarding the following: Rabbi Yishmael holds that a mere prohibition is illuminated by its context when it is the subject of a mere prohibition or even if it is being derived from one involving *kares*, while the Sages hold that a mere prohibition is illuminated by its context when it is the subject of a mere prohibition, but it cannot be derived from one involving *kares* (and since the verse in question refers to the *kares* penalty for one who ate *cheilev*, we cannot derive from here that the *cheilev* prohibition does not apply to nondomestic animals).

Alternatively, I can say that the reason of the Sages is (that the enumeration of the various kinds of fat – ox, sheep and goat, was necessary to teach) the following, as Rav Mari said to Rav Zevid (regarding the exposition of the verse: all *cheilev* is for Hashem, which comes to include that the fat tail of the sheep is subject to *me'ilah*): If so, why shouldn't the fat tail of unconsecrated animals be also forbidden (for it should be included in the verse: all *cheilev* you shall not eat)? He replied: It is to provide against an argument such as yours that the Torah states: *All cheilev of ox, sheep or goat [you shall not eat]* to teach us that only those portions of fat which these three animals have in common are forbidden. This excludes the fat tail (which is only applicable to the sheep). Therefore, the enumeration of 'ox,' 'sheep' and 'goat' is for the purpose of permitting for consumption the fat tail of unconsecrated animals. [It is therefore not available to teach us that one would be liable for lashes for each one of the three.]

The *Gemora* notes that Rabbi Yishmael, on the other hand, will argue that if it is just for this reason, the Torah could have said: *Any cheilev of ox and sheep (you shall not eat)*; the word 'goat' was added for the purpose of establishing a separate prohibition for each of them.

Rabbi Chanina said: Rabbi Yishmael, however, agrees that with regard to offerings, only one *chatas* is brought for the several kinds of *cheilev*.

The *Gemora* cites a *braisa*: It is written (*regarding the chatas offering, "and he will do from one of them," and we expound as follows*): And he will do one; and he will do them. This is to render one liable for each transgression separately, so that if one ate a *k'zayis* (*size of an olive*) of *cheilev*, and then again another *k'zayis*, the *halachah* is as follows: if they are of the same designation (*such as from the kidney*) under two lapses of awareness, he is liable to two offerings; if they were of two different designations, although they were consumed under one lapse of awareness, one is liable to two offerings.

Rami bar Chama said to Rav Chisda: It is understandable that where the portions were of one designation but consumed under two lapses of awareness, one should be liable to two offerings, because the lapses of awareness effected a separation, but why should one be liable to two offerings in the case where the portions were of different designations and consumed under one lapse of awareness? Surely we need a separate lapse of awareness, which is not the case here?

He replied: We are dealing here with the case where he ate *cheilev* of *nossar*, when he is liable on account of *nossar* and on account of *cheilev*.

Rami bar Chama said to him: If so, he should be liable also on account of the consecrated object?

Rather, said Rav Sheishes: It refers to one who ate the *cheilev* of a consecrated animal, and it is in accordance with Rabbi Yehudah, for it has been taught in a *braisa*: If one eats *cheilev* of *neveilah*, or *cheilev* of consecrated animals, one is liable (*for lashes*) on two counts. Rabbi Yehudah holds that in the case of *cheilev* of a consecrated animal, one is liable on three counts.

In *Eretz Yisroel*, this answer (*that it is in accordance with R' Yehudah*) was scoffed at, for the *braisa* could be referring to a case where he ate (*two portions of*) *cheilev* from an ox, sheep and goat, and it is in accordance with Rabbi Yishmael who maintains that one is liable for three sets of lashes. The reason why it wasn't explained according to Rabbi Yishmael must be because of that which Rabbi Chanina said that Rabbi Yishmael agrees that with regard to offerings, only one *chatas* is brought for the several kinds of *cheilev*; but for the same reason it cannot be explained in accordance with Rabbi

Yehudah, for Rabbi Elozar said that Rabbi Yehudah agrees that with regard to offerings, only one *chatas* is brought for the several kinds of *cheilev*.

Rather, Rish Lakish in the name of Bar Tutni said: It deals with one who ate two portions of *cheilev* in two different dishes (as one was roasted and one was cooked), and is in accordance with Rabbi Yehoshua, who holds that the separation of dishes effects a separation with regard to offerings. (4a – 4b)

DAILY MASHAL

Why is Shabbos Different?

And he shall slaughter it in the place where he would slaughter the Burnt-offering before Hashem; it is a Sin-offering. Interestingly, the Torah does not simply say that the Korban Chatas, Sin-offering, is to be slaughtered in the north, but instead tells us to slaughter it "in the place where he would slaughter the Burnt-offering." Why bring in Korban Olah, Burnt-offering, when the pasuk is addressing the laws of the Chatas? Horav Moshe Feinstein, zl, derives from here that, to some extent, the Korban Chatas is similar to the Korban Olah. Neither of these korbanos is eaten by the one who brings them. While the Kohanim partake from the Korban Chatas, the Olah is totally off-limits.

Rav Moshe explains the relationship between the two korbanos and the lesson imparted by this relationship. Man's mission in life is to infuse kedushah, holiness, into everything with which he comes in contact. Sin represents a shortcoming in this mission. Apparently, he has failed to instill kedushah into an area of his life. Hence, we have sin. The mundane aspects of his life have remained earthly and routine. He has demonstrated a deficit in his ability to elevate these aspects, to sanctify them with greater meaning and value.

How does one correct this failing? Rav Moshe explains that he must first disassociate himself from the mundane, elevate himself and learn to imbue all matter with kedushah. These lessons are to be derived from the Korban Chatas. First, the sinner does not eat from the korban, thereby separating himself from the mundane. Second, when he observes it, instead, being eaten by the Kohanim, b'kedushah u'betaharah, amid sanctity and purity, he realizes the type of behavior he must emulate: actions that infuse the mundane with holiness.