

# Daf Notes

Insights into the Daily Daf  
Me'ilah Daf 4

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## Daily Daf

### ***Piggul Offerings and Me'ilah***

Rabbi Abba said: It is through the sprinkling (*that it becomes piggul*<sup>i</sup>). [Rav Gidal said that the *zerikah*<sup>ii</sup> of a *piggul* offering does not bring it to a status of *me'ilah*<sup>iii</sup> for limbs of *kodashim kalim*<sup>iv</sup>, for it is the throwing of the blood that effects the disqualification of *piggul*, and therefore such a sprinkling cannot sanctify it to become subject to *me'ilah*; however, the Mishna is referring to the slaughtering of the *todah* offering with a beyond-its-time intent; it is not rendered *piggul* until the throwing of the blood, and therefore the slaughtering can still sanctify the breads.]

Rav Ashi said to Rava: But Ulla ruled that a *komeitz* (*fistful*) of *piggul* that was placed on the altar loses its status of *piggul*? Now, the *kemitzah* (*taking the scoopful of flour with one's hand from the minchah*<sup>v</sup>) corresponds to the slaughtering of an animal!? [Evidently, the *piggul* takes effect at the beginning!?!]

Rava replied: Ulla's ruling is to be understood in the following manner: The prohibition which will lead to *piggul* will be removed when the *komeitz* is placed upon the altar.

The *Gemora* asks: But doesn't Ulla say (*as proof to his ruling*) that if it would not be accepted on the Altar

(*because it is piggul*), how could it make other things *piggul*? [And because we know that it does render the offering *piggul*, it must be that the *kometz* is accepted upon the Altar. This proves that the *piggul* disqualification takes effect by the *kemitzah*, and not by the *haktarah* - the burning, which takes place afterwards.]

The *Gemora* answers: [It does not become *piggul* until the *haktarah*, and] here too, he is referring to the prohibition which will lead to *piggul* (and Ulla is arguing that the prohibition leading to *piggul* must depart at the time of the *haktarah*, for otherwise, its *haktarah* would not render the *minchah* to be *piggul*).

Ravina said to Rav Ashi: [The *Mishna* in *Zevachim* states: This is the general rule: Whoever slaughters, receives, brings, or sprinkles intending to eat what is meant to be eaten or to burn on the Altar what is meant to be burned that is the size of an olive – if his intent was to consume it outside the place where he is permitted to do so, he causes the sacrifice to become invalid, but does not cause the one who eats it to incur *kares*. If his intent was to consume it beyond its time, he causes it to be invalid and the one who eats it to receive *kares*. This (*chutz l'zmano*) applies as long as he offers the permitters (*the avodos of the blood*) as required (*there is no other disqualification besides for the piggul*). The

**Mishna** then cites the following dispute: Rabbi Yehudah says: The rule is that if the intention to consume it beyond its time preceded his intention to consume it outside of its place, it is invalid and one who consumes it receives *kares*. If his intention to consume it outside of its place preceded his intention to consume it beyond its time, it is invalid, but one who consumes it does not receive *kares*. The **Chachamim** say: In both cases it is invalid and one who consumes it does not receive *kares*.] But didn't Ilfa say: The argument (between the Chachamim and Rabbi Yehudah) applies to two services (when there was an "outside of its place" intention during one avodah, and a "beyond its time" intent in the other one), but if both intentions occurred in one service, everyone would agree that it is a mixture of intentions (and it cannot be *piggul*, and there would be no penalty of *kares*). [This statement, at any rate, seems to contradict Rabbi Abba, for it indicates that the disqualification is assumed to be effective and complete with the mere act of slaughtering with a "beyond its time" intention, for if the disqualification would not take effect until the throwing of the blood, what difference would there be between the intentions occurring in one service or two? There should anyway be a mixture of intentions, for the *piggul* is only taking effect by the throwing of the blood!?

The *Gemora* answers: Here too (he did not mean that it actually becomes *piggul* at the time of the slaughtering, but rather), he meant that when the throwing of the blood takes place, it will retroactively reveal (when it became *piggul*); whether it was done in one service or in two services.

The *Gemora* asks: If this is so (that the *piggul* disqualification takes effect retroactively from the beginning), why not say with the *today* offering as well, that once the blood is thrown, the disqualification is effective retroactively? [Nevertheless, the *Mishna* rules that the breads are sanctified; if so, the throwing of the blood by *kodashim kalim* with a *piggul* disqualification should also render the sacrificial parts subject to *me'ilah*!? This would contradict Rav Gidal's ruling!]

The *Gemora* explains the *Mishna* differently: The bread is sanctified means that the slaughtering (with a *piggul* intention) sanctifies them only to the extent that it becomes disqualified and therefore must be burned. [However, as Rav Gidal stated above, the sprinkling of a *piggul* offering does not have the strength to bring it to a status of *me'ilah* for limbs of *kodashim kalim*.]

[Rav Gidal stated above that the sprinkling of a *piggul* offering does not have the strength to remove a status of *me'ilah* from meat of *kodshei kodashim* (for generally, *kodshei kodashim* is subject to *me'ilah* once it is dedicated, and its meat that is supposed to be eaten by *Kohanim* only become free of *me'ilah* after a kosher sprinkling of blood; a throwing of blood when the *korban* has already been rendered *piggul* does not remove the status of *me'ilah*).] The *Gemora* attempts to provide support to this statement from the following *braisa*: A *piggul* offering is always subject to the laws of *me'ilah*. Does this not mean even though the blood has been thrown (on the Altar), and will then offer support to Rav Gidal?

The *Gemora* disagrees, and says that the *braisa* is only referring to a case where the blood has not been thrown (and the novelty of the ruling is that the offering is not regarded as it had been strangled)

The *Gemora* asks: But if the blood has not been thrown, is there any need for it to be stated? [Why should it say that it is "always" subject to *me'ilah*? By saying "always," it would indicate that it is subject to *me'ilah* even after something occurred – meaning – even after the blood was thrown; this would support Rav Gidal!]

Rather, says the *Gemora*, it, in fact, does refer to a case where the blood has been thrown, but (it is not a proof to Rav Gidal, for) it is referring to an *olah* offering. [For since the meat is not eaten by the *Kohanim*, it remains subject to *me'ilah* even after the throwing of the blood; perhaps, however, by other *kodshei kodashim* offerings, where the *Kohanim* would normally be permitted to eat the meat after the blood has been thrown, the throwing

*of the blood – even by a piggul offering, would remove the status of me'ilah.]*

The Gemora asks: If it refers to an olah, is it not obvious (that it remains subject to me'ilah), since this offering is entirely dedicated to the Most High? [Evidently, it refers to other kodshei kodashim, and it is dealing with a case where the blood has been thrown; this would support Rav Gidal that the throwing of the blood of an offering which has been disqualified through piggul does not remove the status of me'ilah.]

And a further proof (to Rav Gidal), the end of the braisa states: If the blood remained after its time (beyond nightfall, a time when it cannot be thrown on the Altar any longer), although he went back (the next day) and threw the blood, the law of me'ilah still applies to it (for there was no valid zerikah to remove the me'ilah status). This would be well if it related to a chatas offering (for although a valid zerikah would remove its me'ilah status, the braisa is teaching us that an invalid one will not remove the me'ilah status), but if it refers to an olah, what is the necessity at all to state such a law? [Evidently, it refers to other kodshei kodashim, and it is teaching us that the throwing of the blood when it is past its time will not remove the status of me'ilah; this would support Rav Gidal that the throwing of the blood of an offering which has been disqualified through piggul as well, does not remove the status of me'ilah.]

The Gemora asks that it is obvious that the latter clause supports Rav Gidal's view, but what about the first clause? Should we say that just as the latter clause provides support, so also will the first one?

The Gemora asks: But even the latter clause, does it certainly support him? [The braisa is dealing with a disqualification where the blood was not throw on time; Rav Gidal, however, was referring to a case of piggul!?!]

The Gemora explains what the difference between them might be: The disqualification of leaving the blood past its time is caused by his action (or lack thereof), and therefore the throwing of its blood does not have the

effect of removing the status of me'ilah from the offering; but regarding piggul, whose disqualification is not done through an action (but with intention), perhaps the throwing of the blood has the effect of removing the status of me'ilah from the offering.

The Gemora attempts to provide support to Rav Gidal from the following braisa: The law of me'ilah applies to kodshei kodashim that were rendered piggul. Now, does this not imply (that it is so) even though the blood was thrown, and it will then provide support for Rav Gidal?

The Gemora deflects the proof by saying that it speaks of a case where the blood was not thrown.

The Gemora persists: But what would be the case if the blood was thrown? The law of me'ilah indeed would not apply to it. Why then does the braisa state in the concluding clause: The law of me'ilah does not apply to kodashim kalim (which were rendered piggul)? Could the braisa not have made the distinction in the first clause itself (regarding kodshei kodashim which were rendered piggul) by stating that the law of me'ilah applies to the offering before the blood was thrown, but is not applicable after it has been sprinkled?

The Gemora notes that the latter part of the braisa certainly supports Rav Gidal.

The Gemora concludes that the Tanna was absolute regarding kodashim kalim (that the sacrificial parts are not subject to me'ilah when the offering has been rendered piggul), but regarding kodshei kodashim, the Tanna was not absolute (that it is not subject to the laws of me'ilah, and therefore the first part of the braisa does not provide support to Rav Gidal regarding kodshei kodashim). (3b – 4b)

# DAILY MASHAL

## ***Rambam: We should contemplate the Torah's judgments***

By: Meoros HaDaf HaYomi

HaGaon Rabbi Isser Zalman Meltzer zt"l adds words of *musar* at the end of his *Even HaAzel* on Rambam in *Hilchos Me'ilah* following the Rambam's example, who saw fit to state the following sentences in the midst of the halachos:

"It is fit for a person to contemplate the judgments of the holy Torah and fathom their depth as much as he can and something for which he can't find a reason should not be treated lightly and he shouldn't break away to ascend to Hashem lest he be harmed and he shouldn't think of it as he thinks of mundane matters. See how strict the Torah was with *me'ilah*! And if even wood and stones and dust, as soon as the name of the Master of the world is applied to them by mere words, they are sanctified and anyone who treats them mundanely commits *me'ilah* and even if he did so unintentionally, he needs atonement, so much more so pertaining to a mitzvah that Hashem commanded, a person should not rebel against them because he didn't know their reasons and he shouldn't ascribe things that are not so to Hashem and he shouldn't think of them mundanely." If Hashem minded that people should not commit *me'ilah* with articles that have sanctity, so much more so that He minds that people should not disregard mitzvos for which they find no reason.

Rabbi Meltzer says that Rambam's words are not understood and arouse our wonder. Rambam's approach to the prohibition of *me'ilah* is unique. As opposed to the other Rishonim, Rambam adopts the opinion that *me'ilah* applies only if the *mo'el* derives **benefit** from the *hekdesh*. However, a *mo'el* who changed the purpose of the article but didn't derive benefit therefrom does not transgress the prohibition of *me'ilah*, although the sanctified article was desecrated

and it became mundane because of the change in its purpose just like articles of *hekdesh* with which *me'ilah* was committed. Now, if the prohibition of *me'ilah* applies in every case of a change in the purpose of *hekdesh*, the *kal vachomer* is well understood: just as Hashem forbade changing the purpose of sacred articles, *kal vachomer* that He forbids changing His mitzvos. However, according to Rambam's approach, the link between the *kal* and the *chomer* is not obvious and what is the *kal vachomer*? Just as it is forbidden to derive benefit from sacred articles, is it forbidden to explain the mitzvos as opposed to the halachah?

Rambam taught us a great teaching in this halachah, explains Rabbi Meltzer: when a person explains the Torah in a way that causes changes in mitzvos and such that the obligation to observe them becomes lesser and more limited, he doesn't do so because of his care for the halachah but for his mere benefit with a wish to remove the yoke of Heaven. Therefore Rambam compared him to someone who commits *me'ilah* with *hekdesh*, who does so for his benefit.

Rabbi Meltzer adds: "And everything is already hinted in the Haggadah of Pesach concerning the wicked son – '...and because he excluded himself from the majority, he denied the main point (faith)' – in order to remove himself from everyone's obligation, he denies that written in the Torah."

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<sup>i</sup> a korban whose avodah was done with the intention that it would be eaten after its designated time

<sup>ii</sup> Throwing of the blood

<sup>iii</sup> one who has unintentionally benefited from *hekdesh* or removed it from the ownership of the Beis Hamikdosh has committed the transgression of *me'ilah*, and as a penalty, he would be required to pay the value of the object plus an additional fifth of the value; he also brings a korban asham

<sup>iv</sup> sacrifices of a lesser sanctity; they may be eaten anywhere within the city of Yerushalayim; shelamim, todah, bechor, ma'aser and pesach

<sup>v</sup> Flour offering