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Menachos Daf 4

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### *Scriptural Sources*

The *Mishna* ruled that if the sinner’s *minchah* or the *sotah*’s *minchah* was performed not for their own sake, it is invalid.

The *Gemora* notes that the Scriptural source for the sinner’s *minchah* is from the fact that it is referred to as a *chatas*. But, the *Gemora* asks, what is the source for the *sotah*’s *minchah*?

The *Gemora* answers: One who taught *braisos* said before Rav Nachman: The excess of the *sotah*’s *minchah* offering (*when money was designated for it and the price of barley went down*) was used for communal voluntary (*olah*) offerings. Rav Nachman said to him: Well spoken, indeed! For it is written: *a reminder of iniquity* regarding the *sotah*’s *minchah*, and by the *chatas* it is written: *and it He gave to you forgiveness for the iniquity of the assembly*. Just as the excess of the *chatas* goes for communal voluntary (*olah*) offerings, so too the excess of the *sotah*’s *minchah* offering goes for communal voluntary (*olah*) offerings. And the analogy goes further: Just as the *chatas* is invalid if it is offered not for its own sake, so too the *sotah*’s *minchah* offering is invalid if offered not for its sake.

The *Gemora* asks: If so, the *asham* offering should also be invalid if offered not for its sake, since we may derive the *gezeirah shavah* of “*iniquity*,” – “*iniquity*” from the *chatas* offering!?

The *Gemora* answers: We may derive “*iniquity*” from “*iniquity*,” but we may not derive “*his iniquity*” from “*iniquity*.”

The *Gemora* asks: But why should that make a difference? Wasn’t it taught by the Academy of Rabbi Yishmael that one can derive a *gezeirah shavah* from “*v’shav ha’Kohen*” and “*u’va ha’Kohen*” as they are both terms meaning “*and he will come/return?*” Furthermore, let him derive “*his iniquity*” from “*his iniquity*” stated

in connection with (*chatas of*) “the hearing of the voice of adjuration,” where it is written: if he does not testify, then he shall bear his iniquity!?

Rather, the *Gemora* answers, the *gezeirah shavah* was only taught with respect to the excess being used for communal voluntary (*olah*) offerings (*and not to invalidate the offering if it was performed not for its own sake*). And should you ask that surely that there is no such thing as a semi *gezeirah shavah* (*which derives one halachah, but not another*), I will answer you that the Torah has expressly revealed to us with regard to a *chatas*, as it is written: *And he shall slaughter it for a chatas*; “*it*” (the *chatas*) is valid if offered for its own sake, but if it is not offered for its own sake, it is invalid; whereas all other sacrifices - whether they are offered for their own sake or not for their own sake, they are valid.

The *Gemora* asks: Then (*now that it cannot be derived from a sinner’s chatas*), how do we know that the sinner’s *minchah* and the *sotah*’s *minchah* are invalid when offered not for their own sake?

The *Gemora* answers: Why is this the *halachah* by a *chatas*? It is because it is written: *it is*. With these, too, it is written: *it is*.

The *Gemora* asks: The verse states *it is an asham!* [Why, then, does it not share the law of a *chatas*?]

The *Gemora* answers: This verse regarding an *asham* is only stated after verse discussed the limbs of the *asham* having already been burned. This is as the *braisa* had stated: This verse regarding an *asham* is only stated after verse discussed the limbs of the *asham* having already been burned. We cannot say that the burning of the limbs must be done with proper intent or the sacrifice is invalid, as we know that even if the burning of the limbs is not done at all, the *asham* is valid!

The *Gemora* asks: Why, then, does the verse say *it is an asham*? What does this teach us?

The *Gemora* answers: This teaches the derivation of Rav Huna in the name of Rav. He says: If an *asham* is put out to pasture (*i.e. in a case where its owner died*) and it was then slaughtered as a *korban* without specific intent for what *korban* it should be, it is valid (*as an olah, as this is its intended purpose*).

The *Gemora* asks: This implies that it is only true if it was officially put out to pasture and removed from being an *asham*. Why should it depend on whether or not it was removed?

The *Gemora* answers: The verse says: *it is an asham* implying it stays an *asham* until it is taken away from being an *asham*. (4a)

## Minchah Offering of the Omer

Rav said: If the *Kohen* performed the *kemitzah* from the *minchah* offering of the *omer* (*a minchah made of fine barley flour offered on the sixteenth day of Nissan, which permitted the eating of the new crop of grain*) not for its own sake, it is invalid. This is because it is brought in order to render permitted the new grain, and it has not done so (*so it serves no purpose*). Similarly, you may say with regard to the *asham* of the *nazir* (*who became tamei*), and the *asham* of a *metzora* – if they were slaughtered not for their own sake, they are ruled to be invalid, since they are brought in order to make them fit (*the nazir – so he can restart his nezirus; the metzora – to allow him to enter the camp*), and they have not done so (*so they serve no purpose*).

The *Gemora* asks from our *Mishna*: Any *minchah* offerings whose *kemitzah* was performed not for their own sake is valid, however, it does not count for the owners towards the fulfillment of their obligation, except for the sinner's *minchah* and the *sotah's minchah*. Now if Rav would be correct, the *Mishna* should have said, “except for the *minchah* offering of the *omer*” as well!?

The *Gemora* offers three answers:

1. It only states those that come from an individual and not those which come from the community.

2. It only states those which come by themselves and not those which come together with an animal offering.
3. It only states those which do not have a fixed time and not those which are offered at a fixed time. (4b)

## Asham of a Nazir and Metzora

Rav had stated: Similarly, you may say with regard to the *asham* of the *nazir* (*who became tamei*), and the *asham* of a *metzora* – if they were slaughtered not for their own sake, they are ruled to be invalid, since they are brought in order to make them fit, and they have not done so.

The *Gemora* asks from a *Mishna*: Any sacrifice which was slaughtered not for their own sake is valid, however, it does not count for the owners towards the fulfillment of their obligation, except for a *pesach* and *chatas*. Now if Rav would be correct, the *Mishna* should have said, “except for the *asham* of the *nazir* (*who became tamei*), and the *asham* of a *metzora*, since they are brought in order to make them fit, and they have not done so” as well!?

The *Gemora* answers that the *Tanna* did not wish to state those cases, for there are other *asham* offerings, namely, the *asham* brought for theft and the *asham* brought for *me'ilah*; and since these are offered for atonement (*and therefore will be valid if offered not for their own sake*). The *Tanna*, therefore, could not make an absolute statement (*regarding asham offerings*).

The *Gemora* asks: But what is the difference between them!? The *asham* of the *nazir* (*who became tamei*) and the *asham* of a *metzora* are brought in order to make them fit, and they have not done so (*and therefore are invalid – for they serve no purpose*); so too these as well (*the asham brought for theft and the asham brought for me'ilah*) are offered for atonement, and they have not done so (*so therefore, they should be ruled invalid*)!?

Rabbi Yirmiyah answers: It is because we find that the Torah distinguishes between sacrifices that provide atonement and sacrifices that render the person fit. Some of those that provide atonement may be offered after the owner's death; whereas the sacrifices that render the person fit are never offered after the owner's death. [Generally, there is a principle that a sacrifice cannot provide atonement for its owner after his death. Since we find that there are sacrifices that can be brought after the owner's

death, we see that a sacrifice which provides atonement may be offered even if its intended purpose is not met; this is why the *asham* brought for theft and the *asham* brought for *me'ilah* may be brought even when they were offered not for their own sake. However, sacrifices brought to render a person fit are never offered after its owner's death; therefore, they cannot be brought for no purpose. This is why Rav ruled that the *asham* of the *nazir* (who became *tamei*) and the *asham* of a *metzora* are invalid when they were slaughtered not for their own sake.]

The *Gemora* cites a *Mishna* (proving this distinction): If a woman offered a *chatas* sacrifice for her sin, and she then died before offering the *olah* sacrifice (that is supposed to be brought together with a *chatas*), her inheritors should offer the animal that was dedicated by her as an *olah* sacrifice. If she offered the *olah* but died before offering the *chatas*, the inheritors do not offer the *chatas*. [This indicates that sacrifices which render a person fit, such as the *chatas* in this case, cannot be offered after their owner's death; however, sacrifices which provide atonement, such as the *olah* in this case, may be offered even after their owner's death.]

Rabbi Yehudah the son of Rabbi Shimon ben Pazi asked: Sacrifices that render a person fit may be offered even after their owner's death!? This can be proven from the following *Mishna*: If one designated an unspecified amount of money for his *korbanos* (of *nezirus*), it is prohibited to benefit from it, but one does not commit *me'ilah* by using it since all the money can be used to purchase a *shelamim* (which is classified as *kodashim kalim*, and is therefore not subject to *me'ilah*). If he died and he had designated an unspecified amount of money for his *korbanos*, they are to be used for voluntary communal offerings. If the money was specified, the *halacha* is as follows: The money set aside for the *chatas* must be cast into the Dead Sea. It is prohibited to benefit from it, but one does not commit *me'ilah* by using it (since it is not destined to be brought on the Altar). The money set aside for the *olah* should be used for a voluntary *olah*, and one does commit *me'ilah* if he uses it. The money set aside for the *olah* should be used for a voluntary *olah*. The *shelamim* can only be eaten for one day, but it does not require the breads. Now, the *olah* and *shelamim* of a *nazir* render the person fit (to drink wine and become *tamei*), but nevertheless, they are brought after their owner's death!?

Rav Pappa answered: The following is what Rabbi Yirmiyah meant: Sacrifices that always render the person fit are never offered after

the owner's death; however, those of a *nazir* do not always render him fit, for a master stated: If the *nazir* shaves after bringing any one of the three *korbanos*, he has fulfilled his obligation (although he is still obligated to bring the remaining *korbanos*). (4b – 5a)

## DAILY MASHAL

### *He Won't Tell*

He who can protest a sin but doesn't is considered as though he sinned with the sinner. (Shabbos 54b). This is hinted in the verse "if he won't tell, he will bear his sin" (Vayikra 5:1). "If he won't tell – i.e., protest – then "he will bear his sin" – he will be forced to bear the sinner's sin. The Torah writes "not" ( לֹא יִגִּיד ) with a *vav* to teach us that sometimes one mustn't protest (if he **will** tell **him** he will bear his sin...) as it is a *mitzvah* to refrain from saying something which will be ignored (*Gelilei Zahav*).