

# Daf Notes

Insights into the Daily Daf

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Zevachim Daf 2

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## Daily Daf

### Introduction

Tractate Zevachim deals with the laws of animal and bird sacrifices. *Zevach* includes all sacrifices that require *shechitah* (slaughtering). The following four elements of the sacrificial service render the sacrifices fit for burning on the Altar and permitted for consumption: 1. slaughtering; 2. collecting the blood from the neck of the animal in a consecrated vessel; 3. bringing the blood to the Altar; 4. sprinkling the blood on the Altar. The above mentioned four sacrificial acts must be performed for the sake of the respective sacrifice and its particular owner. The first chapter deals with acts concerning a particular sacrifice performed for the sake of another kind of sacrifice.

### 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*; the *pesach* at its specified time and the *chatas* at any time (*have these halachos*).

Rabbi Eliezer says: Also the *asham*; the *pesach* at its specified time and the *chatas* and *asham* at any time (*have these halachos*). Rabbi Eliezer said: The *chatas* is offered to atone for a sin and the *asham* is offered to atone for a sin; just as the *chatas* is invalid if it was slaughtered not for its own sake, so also is the *asham* invalid if it was slaughtered not for its own sake.

Yosi ben Choni says: Those sacrifices which are slaughtered for the sake of a *pesach* or for the sake of a *chatas*, are invalid.

Shimon the brother of Azaryah says: If he slaughtered them for the sake of a sacrifice with a higher degree of sanctity than their own, they are valid; if it was for the sake of a sacrifice with a lower degree of sanctity than their own, they are invalid. How so? *Kodshei kodashim* (most-holy offerings; such as

*chatas, asham, olah and communal shelamim*) which were slaughtered for the sake of *kodashim kalim* (offerings of lesser holiness; such as *shelamim, todah, bechor, ma'aser and pesach*), are invalid, but *kodashim kalim* which were slaughtered for the sake of *kodshei kodashim*, are valid. A *bechor* (first male offspring of a cow, sheep or goat) or *ma'aser* (a person, every year, must tithe all newborn offspring from his animals; every tenth animal is offered as a *korban*) which was slaughtered for the sake of a *shelamim* is valid, but a *shelamim* which was slaughtered for the sake of a *bechor* or *ma'aser*, is invalid. [Due to their specific halachos, the *shelamim* is considered an offering with a greater degree of sanctity than the *bechor* and *ma'aser*.] (2a)

### Retains its Original Sanctity

The *Gemora* notes from the wording of the *Mishna* that the *korban* does not count for the owners towards the fulfillment of their obligation, but it still retains its original sanctity, and therefore it is forbidden to alter it any more. This follows that which Rava said: An *olah* which was slaughtered not for its own sake – it is nevertheless forbidden to sprinkle its blood not for its own sake. This ruling may be derived from the following logic: Just because an alteration was made once, should there be continuous alterations with it?! It, alternatively, may be derived from the following verse: *That which emerges from your lips you shall observe and do; according to what you vowed to Hashem your God, a donation etc.*: Now, is this a *nedavah* (donation)? Is the verse not referring to a *neder* (vow)? The meaning of the verse is as follows: If you have acted as you vowed (by slaughtering it for its own sake), it will be (the fulfillment) of your *neder*, but if not (that it was slaughtered not for its own sake), let it be regarded as a *nedavah*. But even if it is a *nedavah*, is it permitted to make a change in it? [No, it is not!] (2a – 2b)

### Generic Intent

Ravina said to Rav Pappa: You were not with us yesterday

evening within the *techum* (boundary) of Bei Charmach when Rava pointed out several contradictions, and then he reconciled them. Ravina explained: the *Mishna* had stated: 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*). Seemingly, this is only when they are slaughtered not for their own sake; but if no purpose is defined (*they were slaughtered with a generic intent*), they would even count for the owners towards the fulfillment of their obligation. This would prove that a generic intent is the same as if it would have been for their own sake. But let us consider the following *Mishna*, which seems to contradict it: Any *get* (bill of divorce) which was written not for the sake of the woman (*for whom it was intended*) is invalid; and is it not true as well that if it was written with a generic intent, it is also invalid?! And he answered it: Sacrifices, even where no purpose is defined, stand to be offered for their own sake (*for once the owner consecrated it as an olah or a shelamim, it retains that sanctity*), whereas a woman, if nothing was specified, does not stand to be divorced.

The *Gemora* asks: How do we know that sacrifices are valid when they are offered with no specific intent? It cannot be from the fact that our *Mishna* stated: Any sacrifice which was slaughtered not for their own sake, and it did not state: Any sacrifice which was not slaughtered for their own sake (*which would mean that it was actively intended for another sake; however, if there was no intent at all, there would be no concern*); for by a *get* as well, the *Mishna* writes: Any *get* which was written not for the sake of the woman (*for whom it was intended*) is invalid, and it did not say: Any *get* which was not written for the sake of the woman is invalid (*and nevertheless, we know that the halachah is that a get written with a generic intent is also invalid*)!

Rather, it must be from the following *Mishna*: [*If one performed one of the four elements of the sacrificial service by a pesach or a chatas "for its sake and not for its sake," or "not for its sake and for its sake," it is invalid.*] What is the case of "for its sake and not for its sake"? For the sake of *pesach* and for the sake of *shelamim*. It may be inferred from here that it is only regarded as "not for its sake" if he intended for the sake of *shelamim*; however, if in the beginning of the service he intended for the sake of *pesach* and then he continued the service with no specific intent, it would be regarded as if he did it "for its sake."

The *Gemora* deflects this proof, for we can say that one who performs an act, performs it with the same intent as his original intent.

Rather, it may be proven from the latter part of the *Mishna* which states: What is the case of "not for its sake and for its sake"? For the sake of *shelamim* and for the sake of *pesach*. It may be inferred from here that it is only regarded as "not for its sake" if he intended for the sake of *shelamim*; however, if in the beginning of the service he had no specific intent and then he continued the service for the sake of *pesach*, it would be regarded as if he did it "for its sake," and it would be valid.

The *Gemora* deflects this proof, for we can say that his intention upon the conclusion of the service indicates what his intention was at the beginning.

Rather, the *Gemora* says that the proof is from the following *Mishna*: A sacrifice is slaughtered for the sake of six things: For the sake of the offering, for the sake of the offerer, for the sake of Hashem, for the sake of the fires, for the sake of the aroma, for the sake of pleasing Hashem, and a *chatas* and an *asham* for the sake of the sin. Rabbi Yosi said: Even if one did not have in mind any of these purposes, it is valid, because it is a stipulation of *Beis Din*. They stipulated that one should not state that he is slaughtering it for its own sake, for he might come to state that he is slaughtering it not for its own sake. Now if you think that sacrifices are invalid when they are offered with no specific intent, would the *Beis Din* arise and stipulate something which would invalidate the sacrifice?! (2b)

## INSIGHTS TO THE DAF

### *Seder Kodoshim*

By: Meoros HaDaf HaYomi

This week thousands of Daf HaYomi learners all over finish tractate Horayos, ending Seder Nezikin, and start Zevachim, the first tractate in Seder Kodoshim, dealing with sacrifices. In his foreword to Seder Kodoshim, Rambam expresses his sorrow that "most students know nothing about the sacrifices, even where many verses in the Torah were said" as since the destruction of the Temple, "there is no practice to make it a habit and no one asks or seeks anything about them at all."

Recent generations have earned the merit to increase learning Seder Kodoshim thanks to, among other things, the growing popularity of the Daf HaYomi. It is told that the Chafetz Chayim zt"l greatly endeared HaGaon Rav Meir Shapira of Lublin zt"l and called him "Reb Daf HaYomi." He especially blessed him for returning Kodoshim to its proper place (*Sefer HaYovel*, p. 473). At every opportunity the Chafetz Chayim would arouse people to learn Seder Kodoshim and he even wrote *Likutei Halachos* on the tractates of this Seder with a commentary called *Zevach Todah*.

"Every sacrifice not slaughtered for its own sake is fit (*kosher*) but the owner has not fulfilled his obligation, except for the *pesach* and the *chatas*." Zevachim starts thus. What is the reason for offering sacrifices? What does "for its own sake" (*lishmah*) mean? In this and coming issues we shall try to treat subjects that will help Daf HaYomi learners to make their way through Seder Kodoshim but first let's make a brief excursion through Seder Kodoshim and Zevachim.

**The topics included in Seder Kodoshim:** Seder Kodoshim mainly deals with sacrifices and the way they are offered and the Temple and its utensils while different tractates are devoted

to different topics. Zevachim focuses on sacrifices while the next tractate, Menachos, treats *menachos* (flour offerings) and *nesachim* (poured offerings). Matters of dedication (*hakedashah*) and the improper use of sanctified articles (*me'ilah*) are gathered in tractates Arachin and Meilah. Tractate Temurah addresses the exchange of sacrifices and Kerisos deals with cases that obligate a person to bring a sacrifice. *Sugyos* and *halachos* about firstborn animals and *ma'aser* of animals are in tractate Bechoros. Matters of the Temple and the daily *tamid* sacrifice are in tractates Tamid and Midos. Rabbi ended Seder Kodoshim with tractate Kinim, dealing with bird sacrifices that were mixed up.

**The topics in Zevachim:** Zevachim focuses on sacrifices. Its first chapters discuss different cases where a sacrifice is disqualified, such as by thinking not *lishmah*, a thought of *pigul* (intending not to eat the sacrifice in its proper time or place), if an unsuitable person dealt with a sacrifice, etc. Chapter 5, *Eizehu Mekoman*, details the various types of sacrifices and their *halachos*. Afterwards, the tractate deals with the *halachos* of bird sacrifices, sacrifices that got mixed up, the sanctification of the altar, sacrifices slaughtered outside their proper place, etc.

**Sacrifices from the animal, vegetable and mineral kingdoms:** The word *korban* (sacrifice) derives from the root *kareiv*. In other words, an offering is brought up on the altar. Sometimes a sacrifice is an animal. Sometimes it comes from vegetable matter, such as wheat, oil, etc. and sometimes it comes from the mineral kingdom, such as the water poured on the altar during Sukkos or the salt accompanying sacrifices. Sacrifices from animals are called *zevachim* (slaughterings) and sacrifices from vegetable matter are called *menachos* (gifts) as they come as “a gift to Hashem”.

**What can be a sacrifice?** Sacrifices come from sheep, goats or cattle. Doves and pigeons are the only birds fit for sacrifice and from the vegetable kingdom come wheat, barley, wine, oil, frankincense and other ingredients of the incense (*ketores*).

**Types of sacrifices:** Some sacrifices are *kodshei kodoshim*, possessing the highest level of sanctity and include the *chatas*, *asham* and *'olah*. On the other hand, the sacrifices of *shelamim*, *todah*, *bechor*, *ma'aser beheimah* and *pesach* are *kodoshim kalim* (except for the public offering of *shelamim* on Shavuos).

**The service of the sacrifice:** In the coming chapters we shall repeat the concept of the four services (*'avodos*) connected with sacrifices: **slaughtering**, **kabalah** – receiving the blood of the sacrifice in a sanctified vessel (*keli shareis*), **holachah** – bringing the blood to the altar, and **zerikah** – sprinkling the blood on the altar. All the *'avodos* must be done by *kohanim* except for slaughtering.

## Reasons for the Sacrifices

Starting Zevachim, we should examine the Rishonim's reasons for the sacrifices. The *Remo* devoted a whole book to the topic, *Toras Ha'Olah*, in which he counts 12 reasons for the *mitzvah*.

**The Temple is meant to rectify people's hearts:** *Sefer HaChinuch* (*mitzvah* 95) expands on the subject and explains that all the Creator's *mitzvos* are only meant to benefit His creatures. Thus the building of the Temple was not meant to avail Him, so to speak, as “the heavens...do not contain Him and they stand with His breath, so does He need a house built by people?” The Temple is meant to rectify people's hearts and, as he says, “people are influenced by their actions: by constantly repeating good deeds, the thoughts of one's heart become pure.” Therefore, Hashem commanded us to set aside a clean and pure place where people can rectify their ways. The *Chinuch* continues to the topic of sacrifices: “If a person sins, his heart will not be purified well by mere words, facing a wall and saying, “I've sinned and shall not repeat my action.” But by doing a great action because of his sin, to take goats from his folds and exert himself to bring them to the designated sanctuary to the *kohen* and do all that is written concerning the sacrifices of sinners, by all that major activity he will realize the evil of the sin and refrain from it another time.” There is need, then, to incorporate significant action with repentance to arouse a sinner to forsake his evil ways.

There is a sharp difference of opinions between Rambam and Ramban concerning the reason for sacrificing animals. Rambam (*Moreh Nevuchim*, III, Ch. 32 and 46) writes that since the peoples among whom the Jews lived worshiped animals, we were commanded to sacrifice them to detach ourselves from their ways. Ramban (Vayikra 1:9) disagrees, wondering if so why Adam and his sons offered sacrifices as they weren't in the company of idolators. Therefore, he tends more to agree with Ibn Ezra (see *Hashmatos* and *Miluim* at the end of Ramban's commentary on the Torah, Mosad HaRav Kook ed.) that a sacrifice comes as “a soul instead of the sinner's soul.” He points out that this reason stems from *agadah* but that the deeper reason is a “hidden secret”, summed up by the author of *Meshech Chochmah* in his preface to Vayikra: “Ramban and his companions said that it is to bring together all the powers of the worlds, and it is a kind of **spiritual electricity** that, by the action of the *kohen*, he works high matters in different worlds.”

HaGaon Rav Meir Simchah HaKohen of Dvinsk zt"l (*Meshech Chochmah*, *ibid*) tries to minimize the intensity of the difference of opinions between Rambam and Ramban and writes that the two reasons could live together in peace. Adam offered sacrifices to accomplish their highest aim and likewise we are commanded to offer sacrifices in the Temple to “bring the worlds together” – in other words, to perform great actions in the high worlds. However, the sacrifices allowed to be offered on a *bamah* (a place for sacrifices other than the *mishkan* or the Temple) were meant to keep Jews away from idolatry. (Indeed, we find support for this view in Rambam himself, who explains in another place [*Hilchos Me'ilah*, 8:8]: “and all the sacrifices are included in the *chukim* [the *halachos* which cannot be understood]. *Chazal* said that the world exists in the merit of the service of the sacrifices, that by performing the *chukim* and *mishpatim* [*halachos* which can be understood], the honest earn the World to Come”).

It is interesting to note that the words *uchshanim kadmonios* - as in ancient years - in the verse “and the *minchah* of Yehudah and Yerushalayim should be sweet to Hashem as since forever and as in **ancient** years” (Malachi 3:4) are explained by the Midrash as referring to Hevel’s era, when sacrifices were offered for a sweet scent and good will.

### ***The first three rules of Zevachim***

“Every sacrifice slaughtered not for its own sake (*shelo lishmah*) is fit but the owner has not fulfilled his obligation.” The first sentence of Zevachim already mentions the concept of *lishmah*, so common in this tractate and meaning that there is a *mitzvah* to offer a sacrifice for its own sake. In other words, one who slaughters an *olah* must have in mind that he is slaughtering the animal for an *olah*, and the like. Rebbe says that if the slaughterer slaughtered the sacrifice *shelo lishmah*, i.e. the slaughterer of an *olah* intended for the sake of a *shelamim*, the owner must bring another (if he obligated himself by saying *harei alai* - “I must”). We must clarify the meaning of *lishmah*. What is the purpose of a *kohen* slaughtering an *olah* for the sake of an *olah* and what is the defect caused if he errs and changes his thought? For that purpose, let’s continue to learn the *Gemora*. We shall find two more rules and try to find a logical explanation that will enable us to combine the three rules. **Rule 1:** As we said, someone who slaughters *shelo lishmah* causes a defect to the sacrifice. **Rule 2:** Someone who slaughters *stama* – i.e., without any thought – does not cause a defect to the sacrifice. **Rule 3:** Someone who slaughters for *chulin* – i.e., for a mundane purpose – does not cause a defect to the sacrifice.

Apparently, how could it be that someone who slaughters an *olah* with the thought of slaughtering for *shelamim* disqualifies the sacrifice whereas someone who slaughters for *chulin* does not? The Acharonim (see *Kehilos Ya’akov*, 2) explain that a sacrifice brought to the Temple does not need the thoughts of the *kohen* who sacrifices it to fulfill its purpose. The owner has already dedicated the sacrifice to be, for instance, an *olah*. Still, the slaughterer has a *mitzvah* to have in mind to slaughter for the sake of an *olah*. Now let us examine the three rules according to this explanation.

Let’s start with the third rule: Someone who slaughters for *chulin* does not impair the sacrifice. The Acharonim explain that the matter is very simple. Since the *kohen* thought about *chulin* while slaughtering the sacrifice, that is a thought that has nothing to do with the matter and it cannot disturb the *lishmah* made inherent in the sacrifice by the owner. Someone who slaughters *stama* also doesn’t impair the sacrifice (the second rule) as the sacrifice does not need the slaughterer’s thoughts to get its name. But someone who slaughters *shelo lishmah* (the first rule) causes a defect to the sacrifice as in this instance the slaughterer uproots the owner’s intention by his opposite intention. This slaughterer, who has in mind *shelamim* while slaughtering an *olah*, does not think thoughts that have nothing to do with the matter, as in the third rule (as he exchanged one sacrifice for another and not a sacrifice for *chulin*). He is also not dreaming or not thinking anything, as in

the second rule, but his thought is active and his intention to sacrifice an *olah* for the sake of *shelamim* disturbs the *lishmah* inherent in the sacrifice. (See *Kehilos Ya’akov* and other Acharonim for another explanation that the *shelo lishmah* does not uproot the *lishmah* of the sacrifice. We point out that all the above is according to Rava [further, 2b] but according to Rabbi Elazer [3b], it is a decree of the Torah [*gezeiras hakasuv*] that a thought of *chulin* does not disqualify *kodoshim* and it could be that this refers only to a *chatas*, which is not disqualified by a thought of *chulin*. See Rambam, *Hilchos Pesulei HaMukdashin*, 15:4, and the Acharonim on the *sugya*).

### ***The partnership of Yisachar and Zevulun: Why only for learning?***

Our *Mishna* cites the opinion of Shimon, the **brother** of Azaryah, that “if he slaughtered them for the sake of a higher sacrifice, they are fit.” Rashi (s.v. *Shim’on*) relates to Shimon’s *yichus* being attributed to his brother instead of, as usual, to his father and explains according to the Gemara (Sotah 21b, see Rashi *ibid*, s.v. *Shimon*) that Azaryah supported Shimon in exchange for part of his reward for learning Torah.

Such an agreement is called an “agreement of Yisachar and Zevulun.” Actually, the concept of Yisachar and Zevulun is not mentioned in the Talmud but is mentioned many times in the Midrashim (Midrash Rabah, *Naso*, 13:17, and see *Shulchan Aruch*, *Y.D.* 246:1 in the *Remo*). HaGaon Rav Chayim of Brisk zt”l, whose sharp definitions serve as the foundations for many *sugyos*, presented the following definition.

**Two components to the *mitzvah* of learning Torah:** As we know, it cannot be that a person can pay another to put on *tefillin* and share the reward for the *mitzvah* with him. However, the concept exists regarding learning Torah. But is the obligation to learn Torah inferior to the obligation to put on *tefillin*? It can only be, he explains, that a certain aspect of learning Torah characterizes this *mitzvah* and does not exist in any other *mitzvah*. Regarding other *mitzvos*, a person has the obligation to observe the *mitzvah* – to put on *tefillin*, to take up a *lulav*, to eat *matzah*, etc. On the other hand, the *mitzvah* of learning Torah also includes the obligation that **the Torah should be learnt**. In other words, aside from being commanded to learn Torah, a person is commanded to perform actions by which the Torah can be learnt.

Therefore, though Zevulun doesn’t learn Torah, he gets a reward for his actions to increase learning Torah, which are considered part of the *mitzvah* of learning Torah. Rav Chayim finds interesting proof for this definition in the *Gemora* in Kidushin 29b. The Gemara says that if a person is forced to choose between his son’s learning and his own, he takes precedence over his son but if his son is astute and energetic, his son takes precedence. However, says Rav Chayim, regarding putting on *tefillin*, for example, an astute son does not take precedence over his simple father... We see, then, that the father’s obligation to learn Torah is fulfilled by his astute son’s learning since by such the father increases the learning of Torah.