

Daf Notes

Insights into the Daily Daf

7 Kislev 5771

Zevachim Daf 4

Nov. 14, 2010

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Daily Daf

All Avodos must be Performed for the Sake of the Korban

The *Gemora* cites the Scriptural source that the slaughtering of the sacrifice must be for its own sake.

The *Gemora* then notes that the source for the other *avodos* (*elements of the sacrificial service*), that they too must also be performed for its own sake, cannot be derived from the slaughtering, for there is a law that applies by slaughtering, and not by the other *avodos*; namely, that if the *pesach* offering is slaughtered for the sake of people that are not able to partake of it, it is disqualified. [*Since we see that slaughtering is stricter than the other avodos regarding this halachah, perhaps it is stricter with respect to the laws of "for the sake of the offering" as well.*]

Rather it is derived from the following verse: *the one who offers the blood of the shelamim*. The superfluous word, *shelamim*, teaches us that the receiving of the blood (*in a sacred service vessel*) must be done for the sake of a *shelamim*.

The *Gemora* notes that the laws of slaughtering for its own sake cannot be derived from the law of receiving the blood, for there is a law that applies by receiving, and not by the slaughtering; namely, that the receiving is invalid if it is performed by a non-Kohen or a woman. [*Since we see that receiving the blood is stricter than slaughtering regarding this halachah, perhaps it is stricter with respect to the laws of "for the sake of the offering" as well.*]

The *Gemora* notes that the laws of sprinkling for its own sake cannot be derived from the laws of slaughtering and receiving the blood, for there is a law that applies by those two *avodos*, and not by the sprinkling; namely, that they need to be performed on the north side of the Temple Courtyard, and they apply even by the inner *chataos* (*whereas sprinkling does not*

apply, for the blood is applied to the Inner Altar, not the outer one).

Rather it is derived from the following verse: *the one who sprinkles the blood of the shelamim*. The superfluous word, *shelamim*, teaches us that the sprinkling of the blood must be done for the sake of a *shelamim*.

The *Gemora* notes that the laws of the other *avodos* cannot be derived from the law of sprinkling the blood, for there is a law that applies by sprinkling, and not by the other *avodos*; namely, that if it is performed by a non-Kohen he is liable to death. [*Since we see that sprinkling the blood is stricter than the other avodos regarding this halachah, perhaps it is stricter with respect to the laws of "for the sake of the offering" as well.*]

The *Gemora* notes that the laws of bringing the blood to the Altar for its own sake cannot be derived from the other *avodos*, for they are all *avodos* that cannot be circumvented, whereas the bringing of the blood can be (*if the animal was slaughtered next to the Altar*).

Rather it is derived from the following verse: *He shall bring it all...on the Altar*. The master explained this verse to be referring to the bringing of the limbs to the ramp, and it was taught in a *braisa*: *They shall bring the blood* is referring to the receiving of the blood, and since the Torah referred to the receiving of the blood with an expression normally used for the bringing of the blood, this teaches us that bringing the blood cannot be excluded from the laws of receiving the blood. (4a)

Change of Owner by Slaughtering

The *Gemora* asks: Now we have located the sources which teach us the laws of a change of holiness; from where do we know the laws regarding the change of owner (*that the sacrifice must be offered for the sake of that particular owner*)?

Rav Pinchas the son of Rav Ammi said: It is written: *And the flesh of the zevach todah that is his shelamim*. This teaches us that the slaughtering must be for the sake of the *todah*; and since this is superfluous with respect to change of holiness, for that is derived from the other text, transfer its teaching to the law of change in owners.

The *Gemora* asks: But is that the purpose of this verse? Surely it is required for that which was taught in the following *braisa*: *And the flesh of the zevach todah that is his shelamim*. Abba Chanin said in the name of Rabbi Eliezer: If a *todah* offering is slaughtered for the sake of a *shelamim*, it is valid; however, if a *shelamim* is slaughtered for the sake of a *todah*, it is invalid. Why is there a *halachic* difference between these two cases? A *todah* is referred to as a *shelamim*, but a *shelamim* is not referred to as a *todah*.

The *Gemora* answers: We derived our exposition from the word *zevach* (while Abba Chanin learned from the words *todah that is his shelamim*).

The *Gemora* asks: Yet the word *zevach* is still needed for the following: How do we know that a *chatas* and an *asham* (are eaten for a day and a night – just like a *todah*)? It is from the word *zevach*.

The *Gemora* answers: If it would have just been for that, the Torah could have written: *And the flesh of the todah that is his shelamim*; why state: *the zevach todah that is his shelamim*? It is that both laws may be derived from it. (4a)

Change of Owner by other Avodos

The *Gemora* asks: We have found the source for slaughtering (that it must be done for the sake of the owner); from where do we know that this *halachah* applies to the other services as well?

The *Gemora* notes that the source for the other *avodos* cannot be derived from the slaughtering, for there is a law that applies by slaughtering, and not by the other *avodos*; namely, that if the *pesach* offering is slaughtered for the sake of people that are not able to partake of it, it is disqualified. [*Since we see that slaughtering is stricter than the other avodos regarding this halachah, perhaps it is stricter with respect to the laws of "for the sake of the owner" as well.*]

The *Gemora* answers: Slaughtering is stated in reference to a change of holiness, and slaughtering is stated in reference to a change of owner; just as in the case of the slaughtering stated in reference to a change of holiness, you do not differentiate between slaughtering and other services, so also in the case of the slaughtering which is stated in reference to a change of owner, you must not differentiate between slaughtering and other services.

The *Gemora* asks: How can we prove from the laws of a change of holiness when that is an intrinsic disqualification in the sacrifice itself, and it is applicable with respect of the four

services (whereas the laws of a change of owner only applies when the Kohen is performing any of the services with the intent to perform the sprinkling of the blood for the sake of a different person), and it applies after death, and it is operative in the case of the community just as it is in the case of an individual (whereas the laws of a change of owner do not apply by a community, for all people are regarded as its owner). Now, although two of these refutations are not exactly accurate, two of them are! The *Gemora* explains: For how is change in respect of owner different, that it is not an intrinsic disqualification? Evidently, it is because it is a mere intention. Then change in respect of holiness as well is a mere intention! But what you must say is that since he had an improper thought regarding it, he disqualified it; then here too, since he intended for a different owner, he disqualified it. And according to Rav Pinchas the son of Rav Mari, who said that change in respect of owner is applicable after death (for the son does become the new owner of the sacrifice), on two points at least you can refute it.

Rather, Rav Ashi said: It is written: *And it shall be accepted for him to atone for him*. This implies: *for him*, but not for his fellow.

The *Gemora* asks: But is that the purpose of this verse? Surely it is required for that which was taught in the following *braisa*: *And it shall be accepted for him to atone for him*. Rabbi Shimon said: Where the sacrifice is (a liability) upon him, he is responsible for its security; where it is not (a liability) upon him, he is not responsible for its security. And Rav Yitzchak bar Avdimi said: What is the reason for this? It is since he declared, "I accept upon myself to bring an offering," it is as if he placed the burden of it upon his shoulder.

The *Gemora* answers: Rav Ashi was expounding the first part of the verse: *And it shall be accepted for him to atone*.

The *Gemora* asks: We have found the source for slaughtering and sprinkling (that it must be done for the sake of the owner); from where do we know that this *halachah* applies to the receiving of the blood as well?

The *Gemora* notes that the source for the receiving of the blood cannot be derived from the slaughtering and sprinkling, for there is a law that applies by them, and not by the receiving of the blood; namely, that they are *avodos* that if done outside the Temple, one would be liable to *kares*. [*Since we see that slaughtering and sprinkling are stricter than the receiving of the blood regarding this halachah, perhaps it is stricter with respect to the laws of "for the sake of the owner" as well.*]

Rather, said Rav Ashi: It is derived from the ram of the *nazir*. For it is written: *And the ram he shall make a zevach shelamim*. This teaches us that it must be offered specifically as a *shelamim*. Now since this teaching is superfluous with respect to change of holiness, for that is derived from the other text, transfer its teaching to the law of change in owners.

Rav Acha the son of Abba said to Rava: Let us say that 'he

shall make is a generalization, and *'zevach'* is a specification, and where we have a general term followed by a specification, the rule must be like the specific item; hence, slaughtering is included, but every other service is not!?

The *Gemora* answers: If the Torah would have written: *And the ram he shall make a shelamim zevach*, it would be as you say (for *'he shall make a shelamim'* would be the generalization, and *'zevach'* would be the specification). Since however it writes: *he shall make a zevach shelamim*, it is an incomplete generalization (for *he shall make* is meaningless by itself), and an incomplete generalization is not treated with the rule of a generalization followed by a specification.

Ravina answered: In truth, we do treat it as such (generalization followed by a specification), but *'for Hashem'* is another generalization. [*'For Hashem'* implies any service performed. Thus we have a generalization followed by a specification and followed again by a generalization. The rule then is that the generalization includes anything similar to the specification, and thus the other services are included.]

Rav Acha of Difti said to Ravina: But the first generalization is not similar to the last generalization, for the first includes essential acts but nothing more, whereas the last one implies everything that is *'for Hashem'* - even the pouring out of the remnants of the blood (onto the base of the Altar) and the burning of the sacrificial parts (which, if they are omitted, the *korban* is not disqualified)?

Ravina answers: This is according to the teaching of the academy of Rabbi Yishmael, who says that this is a valid method of using this teaching. The rule is as follows: Whenever there is a generalization followed by a specification and followed again by a generalization, you must be guided to include only that which is similar to the specification. Just as that (the slaughtering) is explicitly a sacrificial (and essential) service, and we require that it should be performed for the sake of the offering, so in the case of every sacrificial (and essential) service we require that it should be performed for the sake of the offering.

The *Gemora* asks: If so, let us expound as follows: Just as the specification is explicitly a service, which if done outside the Temple, one would be liable to *kares*, so too we should include every service which if done outside the Temple, one would be liable to *kares*. Accordingly, slaughtering and sprinkling are indeed included, but not the receiving and bringing of the blood! Or perhaps, you may expound as follows: Just as the specification is explicitly something that needs to be performed on the north side of the Temple Courtyard, and they apply even by the inner *chataos*, so too we should include every service which must be done on the north side of the Temple Courtyard, and they apply even by the inner *chataos*. Accordingly, slaughtering and receiving are indeed included, but not the sprinkling!?

The *Gemora* answers: You can expound in this way or in that way; they are equally important, and so both *avodos* are

derived.

Another version: Each argument stands in its place.

Alternatively, I can say, sprinkling is derived from the verse stated by Rav Ashi's above (and the receiving of the blood is derived through the generalization - specification - generalization method).

The *Gemora* notes that we derive the laws (of *le'shmah*) by all *shelamim* offerings from the ram of a *nazir*, and we derive all other offerings from a *hekesh* (halachos that are taught regarding one subject apply to another one as well) to *shelamim*. (4a - 4b)

INSIGHTS TO THE DAF

VOW OFFERING

And it shall be accepted for him to atone for him. Rabbi Shimon said: Where the sacrifice is (a liability) upon him, he is responsible for its security; where it is not (a liability) upon him, he is not responsible for its security. And Rav Yitzchak bar Avdimi said: What is the reason for this? It is since he declared, "I accept upon myself to bring an offering," it is as if he placed the burden of it upon his shoulder.

The Brisker Rav asks: Isn't this *halachah* (being liable for the security of the offering when he said "upon me") an obvious one? Why is it necessary to cite a verse explaining this? One who made a vow obligating himself to offer a *korban* will not discharge his obligation until he actually offers the *korban*.

He explains: It is evident from here that one can fulfill his vow of offering a *korban* when he designates the animal or when he brings it to the Beis Hamikdosh. The verse teaches us that although his vow was fulfilled, he is liable to bring another *korban* (if it got lost or stolen) because there is a commitment of security on the account of his vow.

This is proven from the Rambam in Hilchos Maaseh Hakorbanos (16:7), where he writes: One who says, "Behold, an *olah* sacrifice is upon me," and he designates a bull and the bull got stolen, he is permitted to bring a sheep as a replacement and he has discharged his obligation coming from the vow.

The Brisker Rav asks: Why is this a novelty? In his vow, he never mentioned what type of animal he would be offering. Why can't he bring any animal? The answer is that there is a commitment of security on the sacrifice and perhaps he should be required to replace the initial animal with another of the same type; The Rambam teaches us that the security is on the *korban* and not on the animal.

The Chochmas Shlomo (C"m 66:40) holds that the obligation to bring another one is only if it was through a negligence, however if it was a complete accident, he will not be liable to

bring another one. The question is asked: What should be the difference how the animal got lost? One who made a vow to offer a *korban*, should not discharge his obligation until he actually brings the *korban*. Tehila L'Yonah answers according to the Brisker Rav. He has fulfilled his vow by designating the *korban*; he has an obligation of security based on the verse and the Chochmas Shlomo holds that this liability is only if there was negligence but not by an accident.

To whom does a Sacrifice Belong?

By: Meoros HaDaf HaYomi

As we are dealing with sacrifices, we should clarify the nature of the connection between a sacrifice and its owner. In other words, if Reuven dedicates a sacrifice, he dedicates it to Hashem, to be offered on the altar. He is no longer the owner of the sacrifice, in the sense that he may no longer sell or use it. However, we must still clarify if, from the time of dedication, the connection between the owner and the sacrifice is expressed only by the fact that the sacrifice atones for him or if it is still considered "Reuven's sacrifice." You may ask how this connection is meaningful and what is the difference. Indeed, a basic difference of opinions among the Rishonim clarifies the issue, as follows. Our *Gemora* interprets the verses as meaning that just as someone who slaughters an '*olah*' with the intention of slaughtering *shelamim* impairs the sacrifice, someone who has in mind during any of the four '*avodos*' (slaughtering, *kabalah*, *holachah* and *zerikah*) for Shimon instead of Reuven impairs it. Rambam (*Hilchos Pesulei HaMukdashin*, 15:1) explains our *Gemora's* interpretation in the simplest manner and writes that if someone intended for Shimon instead of Reuven during *shechitah* or any of the four '*avodos*', he impaired the sacrifice. But according to Rashi (s.v. *Veyeshno*, according to the *Gemora* further on), someone who **slaughters** a sacrifice for Shimon instead of Reuven did nothing wrong whereas our *Gemora* relates to a case where a *kohen*, at the time of slaughtering, thinks that he will perform the *zerikah* for Shimon instead of Reuven. (Tosfos hold likewise in 2a, s.v. *Kol*, and that is the simple meaning of the *sugyos*). To examine the roots of this difference of opinions, we should first state a short and simple rule.

We know that a sacrifice atones for its owner but the *Gemora* focuses the atonement on *zerikah*. In other words, the owner is not atoned when the sacrifice is slaughtered or when the fat is burnt on the altar but when the blood is sprinkled on the altar. Now Rambam understands that just as an '*olah*' is essentially different from *shelamim*, the identity of the owner is an essential part of the sacrifice. In other words, if ten people bring '*olos*', we do not have ten identical '*olos*' but ten '*olos*' with different identities. One is "Reuven's '*olah*'", another "Shimon's '*olah*'" and so on. Therefore, someone who slaughters Reuven's sacrifice and thinks it belongs to Shimon impairs it.

However, according to Rashi, once a person dedicates an '*olah*', *shelamim* or other sacrifice, it is not considered "Reuven's '*olah*'" but merely an '*olah*'. As a result, if a person slaughters

the sacrifice for Shimon instead of Reuven, his thought has no effect as he did not change the name of the sacrifice. He impairs the sacrifice only if he performs *zerikah* for Shimon instead of Reuven or has in mind during the slaughtering that the *zerikah* should be for Shimon instead of Reuven as the **atonement** for Reuven depends on *zerikah*. (See *Mikdash Yechezkel* by HaGaon Rav Yechezkel Rotter, that the basis for Rambam's opinion is explained in *Avi 'Ezri, Hilchos Pesulei HaMukdashin*, Ch. 15, and see *Sefer HaMaftaiach*, *ibid*, for a settlement of Rambam's opinion in the *Gemora*).

Completing a Minyan with a Mumar to Pray Musaf

Musaf was not instituted to ask for mercy, as the other prayers, but as a remembrance for the *musaf* sacrifice and, as the verse says: "...and we shall pay bulls with our lips" (Hosheia 14:3). The *halachah* (see *Mishnah Berurah*, 55, S.K. 46, and *Responsa Igros Moshe, O.C.*, II, 19) is that a Jew who desecrates Shabbos in public cannot be included in a *minyan* for prayer. Still, the Rogatchover Gaon zt"l believes that he may be included in a *minyan* but not for *musaf*. He bases his decision on the *Gemora* in Chulin 5a, ruled as *halachah* (Rambam, *Hilchos Ma'aseh HaKorbanos*, 3:4), that we do not accept sacrifices from a *mumar*. Therefore, it could be that we can include him in a *minyan* for *shacharis* but upon reaching *musaf* he cannot be included, as he has nothing to do with this prayer since in his present condition his sacrifices would not be accepted. If so, he is also no partner in public sacrifices, including *musaf*, and cannot be included in a *minyan* for *musaf*, which was instituted as a remembrance for the sacrifice.

Nonetheless, a few *halachic* authorities disagree and hold that if we can include someone who publicly desecrates *Shabbos* in a *minyan* (the *halachah*, as we said, is otherwise), he can also be included in a *minyan* for *musaf*. They base their opinion on the firm foundations of our *sugya*, as follows.

Our *sugya* explains that a *kohen* who changes the name of the owner of a sacrifice, offering it for Shimon instead of Reuven, impairs the sacrifice. This only concerns an individual sacrifice but regarding a public sacrifice, it makes no difference if he changes the owner's name as the sacrifice belongs to all the Jews. If the *kohen* would intend the sacrifice for a Shimon, he made no error as Shimon also has a part in the sacrifice (and even if the *kohen* thinks that the sacrifice belongs to a gentile, the sacrifice is not disqualified as a gentile is not obligated to bring sacrifices and thoughts about him have nothing to do with the matter).

Apparently we can ask on our *sugya*: a public sacrifice could also be disqualified if a *kohen* thinks that it belongs to a *mumar*, from whom we do not accept sacrifices. We therefore have proof that a *mumar* is included in public sacrifices, though his individual sacrifices are not accepted. If so, he can be included in a *minyan* for *musaf* as the *musaf* sacrifice was also offered on his behalf. (There is another matter concerning *musaf*; see *Meoros HaDaf HaYomi*, Vol. III, p. 114).