

26 Iyar 5778  
May 11, 2018



Zevachim Daf 28

Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

Daf Notes is currently being dedicated to the neshamot of

**Moshe Raphael ben Yehoshua (Morris Stadtmauer) o”h**

**Tzvi Gershon ben Yoel (Harvey Felsen) o”h**

May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

### **Mishna**

If one slaughters the sacrifice with the intention of sprinkling its blood outside, or part of its blood outside, to burn its sacrificial parts outside, or part of its parts outside, to eat its meat outside, or an olive’s bulk of its meat outside, or to eat an olive’s bulk of the skin of the tail outside, it is invalid, but one does not incur *kares* (if he eats from it). If one slaughters the sacrifice with the intention of sprinkling its blood on the next day, or part of its blood on the next day, to burn its sacrificial parts on the next day, or part of its parts on the next day, to eat its meat on the next day, or an olive’s bulk of its meat on the next day, or an olive’s bulk of the skin of the tail on the next day, it is *piggul* and one incurs for it *kares*.(27b)

### **Skin of the Tail**

They held that the skin of the tail is like the tail (and whenever the tail is supposed to be burned on the Altar as one of the sacrificial parts (by a sheep offering), the skin should be burned as well).

The *Gemora* asks: But surely (in the case of the *Mishna* where he had intention to eat an olive’s bulk of the skin of the tail on the next day) he intends for consumption by man something that is meant for the Altar’s consumption (and that is not a thought that can invalidate a sacrifice)!?

Shmuel answered: The author of this *Mishna* is Rabbi Eliezer, who maintains that you can intend for human consumption what is meant for the Altar’s consumption, and for the Altar’s consumption what is meant for human consumption (and such intentions will be effective to render it *piggul*). For we learned in a *Mishna*: If one slaughters a sacrifice intending to eat (either outside its place or beyond its time) what is not meant to be eaten, or to burn on the Altar what is not meant to be burned, it is valid, but Rabbi Eliezer invalidates it.

The *Gemora* asks: But if the *Mishna* is following the opinion of Rabbi Eliezer, let us consider the latter portion of the *Mishna* which 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 etc. This implies that the intention is effective only if one intends to eat what is meant to be eaten, but not what is not meant to be eaten. This is in accordance with the Rabbis. Can it be that the first clause follows Rabbi Eliezer and the latter part follows the Rabbis?

Shmuel answered him: Yes, it does.

Rav Huna said: The skin of the tail is not like the tail (and although the tail is burned on the Altar, the skin is not, but rather, it is eaten).

Rava cites a Scriptural verse which indicates that only the tail is burned, but not the skin.

Rav Chisda said: In truth, the skin of the tail is like the tail, but our *Mishna* is dealing with the tail of a goat (*which is eaten, and not burned on the Altar*).

The *Gemora* notes: These other *Amoraim* did not say like Shmuel, because it didn't seem proper to them that the first clause follows Rabbi Eliezer and the latter part follows the Rabbis. They did not say like Rav Huna, because they maintain that the skin of the tail is like the tail. They did not say like Rav Chisda, for according to him, the *Tanna* of the *Mishna* is merely teaching us that the skin of the (goat) tail is like the tail (*and is edible*); and surely we have learned this in a *Mishna* elsewhere: The skin of the following is like their meat: the skin under the tail! Rav Chisda would answer that it is still necessary, for one might have thought that only in respect of *tumah* does it combine (*with the meat to form a k'zayis, and therefore convey tumah*), because it is soft; but as for here (*regarding eating the meat*), I would say that since it is written, *lemashchah* – which means for greatness, and this teaches us that the meat must be eaten in the manner that kings eat; and since kings do not eat this, I would say that it is not like the meat; therefore our *Mishna* teaches us that it is so.

The *Gemora* asks on Rav Chisda from the following *braisa*: If one slaughters an *olah* offering with the intention of burning an olive's volume of the skin under the tail outside of its place, it is invalid, but it does not have *kares* (*if eaten*); if it is with the intention of burning it beyond its time, it is *piggul*, and it does have *kares*. Elozar ben Yehudah of Ivlim said in the name of Rabbi

Yaakov, and so said Rabbi Shimon ben Yehudah of Kefar Ikkus in the name of Rabbi Shimon: The skin of the hooves of small cattle, the skin of the head of a young calf, and the skin under the tail, and all cases which the Sages enumerated of the skin being the same like the flesh, which includes the skin of the pudenda (*genital area of a female animal*): with the intention of burning its hide outside of its place, it is invalid, but one does not incur *kares* (*if he eats from it*); with the intention of burning its hide beyond its time, it is *piggul* and one incurs for it *kares*. Now this was taught only with respect of an *olah* offering, but not of another sacrifice. Now as for Rav Huna, it is understandable why an *olah* offering is specified (*for the verse teaching us that the skin is not like tail is by shelamim, but by an olah, it is burned with the rest of the animal, and that is why an improper intention of burning it invalidates the sacrifice*). But according to Rav Chisda (*that the skin is always like the tail*), why does he mention only *olah* offerings?

The *Gemora* answers that Rav Chisda can say that the *braisa* is referring to the tail of a goat (*and therefore it is not something which is meant to be burned on the Altar*), or, alternatively, the *braisa* should be emended to say sacrifice (*and not olah*). (27b – 28a)

### **Scriptural Sources**

The *Mishna* had stated: It is invalid, but one does not incur *kares*.

Shmuel said: There are two verses written in the Torah (*regarding improper intent; one is dealing with the case where he intended to consume the offering beyond its time, and the other is referring to the case where he intended to consume the offering outside of its place*).

Rabbah explains: [And if any of the meat of his shelamim offering will be consumed on the third day, it will not be accepted, and the soul that partakes of it shall bear its sin (kares).] “Third” refers to an intention of consuming the offering beyond its time; “it shall be piggul” (an abhorred thing) refers to an intention of consuming the offering outside of its place; “and the soul that partakes of it shall bear its sin” indicates that only one of these invalidated offerings involves kares, but not two. Which one? An intention of beyond its time incurs kares (if the meat is eaten), but not an intention of outside of its place.

The Gemora asks: Perhaps the reverse is true!?

The Gemora answers: It is logical that an intention of beyond its time is stricter, since the Torah begins with it.

The Gemora asks: On the contrary!?! An intention of outside of its place is more likely to be included in the kares verse, since it is near it (in the verse)!?

Rather, Abaye said: When Rav Yitzchak bar Avdimi came, he said in the name of Rav: The Mishna relies on that which a Tanna taught in the following braisa:

#### Lengthy (first) verse – Parshas Tzav

*And if any of the meat of his shelamim offering will be consumed on the third day, it will not be accepted, it will not be accepted; it will not be considered to the one who offers it. It shall be piggul and the soul that partakes of it shall bear its sin (kares).*

#### Parshas Kedoshim

*And if any of the meat of his shelamim offering will be consumed on the third day, it will not be accepted.*

The first verse refers to a “beyond its time” intention (and there it mentions kares), and since the second verse is not necessary for “beyond its time,” we apply it to an “outside its place” intention (where there is no kares).

The Gemora notes: When the next verse in Kedoshim says: *whoever eats it will bear his sin (kares)*, it is in connection with *nossar (sacrificial meat that has been leftover beyond the time that the Torah designated for its consumption)*. This excludes the case where he had an “outside its place” intention (where there is no kares).

The Gemora asks: But perhaps the verse, *whoever eats it will bear his sin* – is referring to a “beyond its time” intention, and it is coming to exclude the case of *nossar* from kares!?

The Gemora answers: It is logical to assume that *nossar* involves kares, for then we can expound a *gezeirah shavah*, using the word, “sin,” “sin” – to a “beyond its time” intention (that there is kares there as well), for they are similar with respect of “time” and “bamah” (they both are time related, and they would both apply on a private Altar; this is in contrast to a case of *tumah*, where it also says “sin” and there is no kares).

The Gemora asks: On the contrary! Let us say that the kares verse is referring to an “outside of its place” intention, for then we can expound a *gezeirah shavah*, using the word, “sin,” “sin” – to a “beyond its time” intention (that there is kares there as well), for they are

similar with respect of “intent,” “a portion,” “blood” and “shlishi” (the word is mentioned by both of them; this is in contrast to a case of tumah, where it also says “sin” and there is no kares).

Rather, Rabbi Yochanan said that Zavdi bar Levi taught a braisa, which through a gezeirah shavah of “kodesh,” “kodesh,” we derive that the next verse in Kedoshim is referring to *nossar*, and then there is *kares*, but it excludes the case where he had an “outside its place” intention (where there is no *kares*).

The Gemora asks: But perhaps the lengthy verse (in *Tzav*) is referring to an “outside its place” intention, and the verse in Kedoshim is referring to a “beyond its time” intention (and therefore, when the verse regarding *nossar* excludes a different case from *kares*, it will be excluding the case of an “outside its place” intention)!

The Gemora answers: It is logical to assume that the lengthy verse refers to a “beyond its time” intention, for we expound a gezeirah shavah, using the word, “sin,” “sin,” for they are similar with respect of “time” and “bamah.”

The Gemora asks: On the contrary! Let us say that the lengthy verse refers to an “outside its place” intention, and “third” in Kedoshim refers to a “beyond its time” intention because it is similar to *nossar*, and the Torah therefore places it next to *nossar* and excludes it from *kares*!?

Rather, Rava said: All these rules are derived from the lengthy verse, for it is written: *will be consumed*. The Torah refers to two eatings (*hei’achol yei’achel*), viz., consumption by man and consumption by the Altar. If

any of the meat of his *shelamim* offering - just as there are parts of the *shelamim* that render *piggul* (the blood), and parts that are rendered *piggul* (the meat), so too all sacrifices where there are parts that render *piggul* (the blood), and parts that are rendered *piggul* (the law of *piggul* applies). “Third” is referring to a “beyond its time” intention. *It will not be accepted* - the procedure for the acceptance of the invalid sacrifice is the same as that of the valid one. Just as the acceptance of the valid sacrifice necessitates that all its permitters (all four blood *avodos*) be offered, so does the acceptance of the invalid necessitate that all its permitters be offered. *The one that offered*: it becomes invalid when there is an improper intent during the services of the offering, but it does not become invalid through its being eaten on the third day. “It” teaches us that the sacrifice is invalid, but not the *Kohen* (who performed the service). It will not be considered (which can be understood to mean, “it shall not be intended”) means that one should not mingle other intentions with it. *Piggul* is referring to a case of an “outside its place” intention. “It shall be” teaches us that the two types of improper intention can combine with each other to invalidate an offering. “And the soul that partakes of it shall bear its sin” indicates that only one of these invalidated offerings involves *kares*, but not two. Which one? An intention of beyond its time incurs *kares* (if the meat is eaten), for we expound a gezeirah shavah, using the word, “sin,” “sin” – to a “beyond its time” intention (that there is *kares* there as well), for they are similar with respect of “time” and “bamah” (they both are time related, and they would both apply on a private Altar; this is in contrast to an “outside its place” intention where there is no *kares*). (28a – 29a)