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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

Theoretical?

Rava challenged the statement of Rav that ruled like Rabbi Elozar in the name of Rabbi Yossi, rhetorically asking whether this was a ruling for the times of Mashiach?

Abaye challenged Rava, noting that by this logic we should not learn any of the rules of slaughtering sacrifices, as it is not relevant nowadays. We do study this, as the act of learning it is a *mitzvah*, even if it is currently not relevant.

Rava clarified that he was challenging the issuing of a ruling, which is only done for relevant areas of *halachah*. (44b – 45a)

Non Jew’s Sacrifices

The *Mishna* says that Rabbi Shimon says sacrifices offered by non Jews are excluded from the following prohibitions:

1. *piggul* – if it was offered while planning to eat it at the wrong time
2. *nossar* – *leftover* : if it is left over beyond the allowed period of eating
3. *tamei* – *impure* : if it became impure, or if the one eating is impure
4. *chutz* – *outside* : if one sacrificed it outside the Bais Hamikdash

Rabbi Yosi says one is liable for sacrificing it outside.

The *Gemora* cites a *braisa* in which Rabbi Shimon lists the

ways that a non Jew’s sacrifice is different than a Jew’s:

1. One may not benefit from them, but is not liable for *me’ilah* – *misuse* if one did
2. *piggul*
3. *nossar*
4. *tamei*
5. *temurah* – *exchange* : if one tried to exchange another animal for it, the new animal does not become sacrificed
6. *nesachim* – *libations* : a non Jew may not bring a standalone wine sacrifice

Rabbi Yosi says that for all of these, he rules strictly, since the verse that allows a non Jew to sanctify an animal concludes with *lashem* – *for Hashem*, making it equivalent to other sacrifices.

The *braisa* concludes by saying that only items sanctified by a non-Jew as an actual sacrifice are excluded from *me’ilah*, but one is liable for *me’ilah* on items a non Jew donated to the Bais Hamikdash maintenance fund.

The *Gemora* explains the source for these exclusions:

- *Me’ilah*

Me’ilah is equated to *terumah* through the common word *cheit* – *sin* used in both. Just as *terumah* only applies to Jews, so *me’ilah* only applies to Jews.

- *Piggul, nossar, tamei*

The verse prohibiting one from eating an impure sacrifice specifies *Bnei Yisrael*, excluding non-Jews. *Nossar* is

equated to an impure sacrifice through the common word *chilul* – defilement used in both, and *piggul* is equated to *nossar* through the common word *avon* – transgression used in both.

- *Temurah*

The verse equates *temurah* to a *ma'aser* animal sacrifice, when stating that *hu utmuraso* – it [*ma'aser*] and its exchange. Just as a non-Jew cannot offer a *ma'aser* sacrifice, so his sacrifice cannot be exchanged.

The *Gemora* suggests that we know that a non-Jew cannot offer a *ma'aser* sacrifice, since the verse which states *aser ta'aser* – you shall take *ma'aser* uses the term *ma'aser* twice, referring to both *ma'aser* animals and *ma'aser* of grain. This equation teaches that just as a non-Jew cannot separate *ma'aser* from grain, so he cannot offer a *ma'aser* animal.

The *Gemora* objects to this, since in the realm of *kodashim* – sanctified items, we cannot learn an equation from an item that itself learned through an equation.

The *Gemora* notes that the original source, *ma'aser* from grain, is *chulin* – mundane, and not a sanctified item, but that only addresses the question for those who say that a *chulin* source makes the whole chain of learning be considered *chulin*. However, according to those who say that this is still considered an area of *kodesh*, since the topic that was learned (*ma'aser of an animal*) is *kodesh*, we cannot use this to learn the exclusion of *temurah*.

The *Gemora* answers that animal *ma'aser* is an obligatory sacrifice, and only Jews can offer such a sacrifice. Once we know that a non-Jew inherently cannot offer animal *ma'aser*, we can learn *temurah* from it.

- *Nesachim*

The *braisa* learns from the word *ezech* – citizen used in the section of *nesachim* (libations) that a non-Jew may not

offer *nesachim*. However, since the verse mandating *nesachim* with a sacrifice states *kachah* – so [shall be done], we learn that a non-Jew's sacrifice must be brought with *nesachim*.

The *Gemora* explains that *me'ilah* does apply to a non-Jew's donation to the maintenance fund of the Bais Hamikdash, since the exclusion of *me'ilah* was due to its equation with *terumah*. We therefore limit this to cases of *me'ilah* that are similar to *terumah*, which has inherent holiness. However, donations to the maintenance fund are only sanctified for their value, and may be redeemed, and therefore are not included in this equation. (45a)

Impure Blood

The *Gemora* cites a *braisa* which states that if the blood of a sacrifice became impure and was applied accidentally, the sacrifice is valid, but if it was intentional, the sacrifice is invalid. If the sacrifice was a communal one, it is valid in both cases. Finally, if the sacrifice was a non-Jew's, it is invalid in both cases.

The Sages said in front of Rav Pappa that this *braisa* does not follow Rabbi Yosi, since he considers a non Jew's sacrifice equivalent to a Jew's.

Rav Pappa told them that even Rabbi Yosi would agree that their sacrifice is invalid, since the verse that refers to the *tzitz* – head plate (that validates a sacrifice offered when impure) states *lahem* – for them, excluding non Jews.

The *Gemora* explains that the word *lahem* itself is not sufficient, since another verse refers to sacrifice that “*heim* – they sanctify”, and that includes non-Jews.

Rather, Rav Ashi explains that the verse states that the *tzitz* – head plate is *l'ratzon lahem* – for favor for them, and

Hashem's favor is limited to Jews. (45a – 45b)

Nossar and Tumah

The *Mishna* states that on items for which one is not liable for *piggul*, one is still liable for *nossar* and *tumah* - impurity, except for blood. Rabbi Shimon says that one is only liable for *tumah* on items that are normally eaten, but not for items such as wood, *levonah* spice, and *ketores* – incense, as people do not normally eat them.

The *Gemora* cites a *braisa* that expands on the different rules for *piggul*, *nossar*, and *tumah*. The *braisa* states that we may have thought that one is only liable for impurity on items that become permitted for a person or the altar, just like *piggul*. This would be logical, since *piggul* is stricter than impurity in three ways:

1. It obligates a standard *chatas*, for rich and poor alike, while impurity obligates only a sliding scale *chatas*.
2. It only requires knowledge of the transgression afterwards to obligate a *chatas*, while impurity requires knowledge before and after the transgression to obligate its *chatas*.
3. It is never permitted, while impurity is permitted in a communal context.

Therefore, the verse says that impurity applies to “all that they sanctify for me,” including even items that do not become permitted. The *braisa* says that from this verse, we may have thought that as soon as an item is sanctified, one is liable on it for impurity. The verse therefore introduces this section by saying that if one is *yikrav* – comes close to the sanctified items. Rabbi Elozar explains that the verse goes on to punish one who is impure with *kares*, but one is never liable *kares* for just touching sanctified items. Therefore, we must read this verse to refer not to the person, but the sanctified item, limiting the punishment to items that are fit to come close, i.e.,

permitted for sacrifice or eating. Therefore, the *braisa* concludes that the punishment for impure contact with sanctified items begins:

1. At the point of the item becoming permitted, for items that will become permitted.
2. At the point of sanctification, for items that never become permitted.

The *Gemora* says that we learn that *nossar* also applies to all items, due to the same word *chilul* – profaning used in *nossar* and *tumah*.

The *Gemora* asks why we do not instead limit it to items that become permitted, due to the same word *avon* – sin used in *nossar* and *piggul*.

The *Gemora* says that *nossar* is similar to *tumah* in three ways:

1. They are an issue with an actual item (*the sacrifice or the person*), as opposed to *piggul*, which is a problem with one's thought.
2. They do not depend on applying the blood to take effect, as opposed to *piggul*, which only takes effect once the blood is applied.
3. They have the common word *chilul*, which *piggul* does not have.

The *Gemora* objects, noting that there are even more similarities between *nossar* and *piggul*:

1. They are never permitted, while *tumah* is permitted in a communal context.
2. The *tzitz* does not atone for them, while it does atone for an impure sacrifice.
3. They are both still pure.
4. They both issues related to time.
5. They are both issues with the sacrifice, while impurity is an issue with the one sacrificing.

Rather, the *Gemora* concludes that we learn that *nossar* is

like *tumah*, since the verse about *tumah* says that they should not *yechalelu* – *profane* the sacrifices. The word *yechalelu*, which could have been expressed simply using *yinazru* – *separate* or *yechalu* – *profane*, includes two types of profaning, i.e., *tumah* and *nossar*. (45b – 46a)

INSIGHTS TO THE DAF

Relevant?

Rava challenged the issuing of a ruling in the details of *piggul*, as it is only relevant for the future times of Mashiach.

Tosfos (45a hilchesa) discusses why the *Gemora* sometimes raises this challenge, and sometimes does not. Tosfos suggests that whenever the *Gemora* rules on something that it ostensibly relevant only when Mashiach comes, but does not raise this challenge, this is because the ruling has some relevance nowadays. The examples Tosfos cites are:

1. The *Gemora* rules like Rabbi Yossi, that unknown *mamzerim* will become permitted, since that is relevant nowadays, insofar as we should not distance those with unknown lineage.
2. The *Gemora* rules like Rabbi Yossi in the case of a *Kohen Gadol* who was temporarily replaced, since that is relevant nowadays for one in any position of power who was temporarily replaced.
3. The *Gemora* rules like Rabbi Akiva, that one may not violate Shabbos for the pesach sacrifice, if the work could have been done before. This is relevant nowadays for the case of *milah*, which also overrides Shabbos, and the *Gemora* was simply strengthening the ruling in the case of *milah* by ruling like Rabbi Akiva even in the case of Pesach.
4. Rabbi Elozar rules like Rabban Gamliel regarding when we begin praying for rain, even though he was

discussing the times of the Bais Hamikdash, because his opinion is relevant nowadays for those living in Bavel.

However, Tosfos cites another ruling which has no relevance nowadays, and which the *Gemora* does not challenge. Tosfos offers two answers:

1. Only Rav Yosef challenges these rulings, but other *Amoraim* had no issue with issuing rulings for the times of Mashiach. [Tosfos presumably had a text of our *Gemora* in which Rav Yosef, not Rava, challenged the ruling]
2. Rabbeinu Chaim says that only rulings that are only relevant for Mashiach time, and only for one who transgresses a prohibition, are challenged. In this case, we are discussing one who had a *piggul* thought, which is prohibited.

See the Rambam (Melachim 12:2) who says that Eliahu will return to cause the Jews to repent. The Rambam does not say that he will rule on any halachos, and the Rambam accordingly ruled in all areas of *Halachah*, including those that are only relevant when Mashiach comes.

Rabbi Shimon

Rabbi Shimon says that one is not liable for *piggul*, *nossar*, and *tamei* on a non Jew's sacrifice. Tosfos (45a vehashochtan) notes that Rabbi Shimon says that these prohibitions do not apply to any sacrifice (or part of sacrifice) that is offered on the altar. Tosfos also notes that Rabbi Eliezer says that non-Jews may only offer *olah* sacrifices, which are fully offered on the altar. If Rabbi Shimon holds like Rabbi Eliezer, a non-Jew's sacrifice is no different than a Jew's, since one is not liable for any *olah* sacrifice. Tosfos offers two answers:

1. Rabbi Shimon holds like Rabbi Yosi Haglili, who says non Jews can offer *shelamim* sacrifices, which are partially eaten, and he is stating that even on

these sacrifices, one is not liable.

- The reason Rabbi Shimon says one is not liable for parts offered on the altar is because one prohibition cannot take effect on something already prohibited. Since something offered on the altar is prohibited due to *me'ilah* – *misuse*, no additional prohibitions can take effect. However, since a non-Jew's sacrifice is not subject to the prohibition of *me'ilah*, the other prohibitions could have taken effect. Rabbi Shimon therefore states that they do not take effect on a non Jew's sacrifice.

Tosfos (45b ahal) also discusses Rabbi Shimon's opinion, in light of his position that *nossar*, *piggul*, and *tamei* do not apply to something offered on the altar. Rabbi Shimon states in the *Mishna* that one is not liable for impurity on items that are not eaten (e.g., wood). Tosfos asks why Rabbi Shimon excludes them only because they are not eaten, as they are offered on the altar, and should therefore anyway be excluded. Tosfos answers that Rabbi Shimon's opinion is due to his position that one prohibition cannot take effect on these items, which are already prohibited due to *me'ilah*. However, Rabbi Shimon does agree that two prohibitions can take effect simultaneously. If the wood becomes impure, and after that, a minor matures, both prohibitions take effect for him simultaneously, i.e., at the point of maturity. In this case, Rabbi Shimon would say that he would be liable for both prohibitions, and therefore Rabbi Shimon needed to exclude these since they are not eaten.

Which Consecrations?

The *braisa* quotes Rabbi Shimon saying that a non Jew's sacrifice is not liable to *me'ilah*, while Rabbi Yossi says it is. The *braisa* then says that a non Jew's donation to the maintenance fund of the Bais Hamikdash is liable for *me'ilah*. The *Gemora* explains that Rabbi Shimon says a

non-Jew's sacrifice is not subject to *me'ilah*, since the prohibition of *me'ilah* is learned from *terumah*, which is only relevant for Jews. The *Gemora* continues to explain that since we are learning the exclusion from *terumah*, that only applies to sacrifices, which are like *terumah*, since they have inherent holiness, but not to donations, which can be redeemed.

Rashi learns that the limitation in the *braisa* is within Rabbi Shimon's opinion, since he is the one who excluded a non Jew's sacrifice from *me'ilah*.

Tosfos (45a dumia) learns that the limitation is a continuation of Rabbi Yosi's position. Rabbi Shimon excludes anything consecrated by a non-Jew from *me'ilah*, whether a sacrifice or a donation, while Rabbi Yossi says that their sacrifices are not subject to *me'ilah*, but their donations are.

DAILY MASHAL

GeZeL

The *Gemora* lists three similarities between *nossar* and *tumah*, using the acronym GeZeL. The first two stand for:

- Guf* – body : in both realms, the actual body (of the animal or person) is problematic
- Zerikas dam* – applying the blood : both are issues even without the blood being applied

Rashi learns that the last letter (L) refers to ChiLul – profaning, the common word used in both prohibitions. Tosfos (45b shekain) objects, noting the *Gemora* does not include the common word, *avon*, used in relation to *tumah* and *piggul*, when listing the similarities between them, indicating that a similar word is not being discussed at this point. Therefore, Rabbeinu Chananel learns that it stands for kuLo – all of it. *Piggul* can only apply to the whole sacrifice, while these two can apply to a portion of it as well.