

16 Sivan 5778
May 30, 2018



Zevachim Daf 47

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

In the Name of Chulin

Rabbi Elozar says: If a person slaughtered a *chatas* for the sake of *chulin* (*mundane*), it is a valid sacrifice. If they in fact thought it was *chulin*, it is invalid.

This is as Shmuel inquired of Rav Huna: How do we know that if someone slaughters a sacrifice while preoccupied with other things, the sacrifice is invalid?

Rav Huna answered: This is as the verse states: *And he will slaughter the cattle before Hashem*. This implies that the slaughtering must be done with intent to be a *korban*.

Shmuel asked: We knew this derivation indicates that it is preferable to do so. How do we know that this means the *korban* is invalid if he does not do so?

Rav Huna answered: The verse states: *You should sacrifice it for your will*. This indicates that you must have intent to sacrifice.

The *Mishna* had stated: The intention only depends on the one performing the service.

The *Gemora* asks: This is unlike the following *Tanna*, for it was taught in a *braisa*: Rabbi Elozar the son of Rabbi Yosi says: I heard that the owners can cause a sacrifice to become *piggul* (*if they have piggul intentions during the Kohen’s performance of the service, even if the Kohen did not have any thoughts of piggul*).

Rava says: What is his reasoning? The verse states: *And the one offering will offer*. [*Rashi explains that being that this person is called one who offers a sacrifice, and the prohibition against*

piggul thoughts is similarly phrased, the one who offers etc. this indicates that the owner’s thoughts can cause piggul.]

Abaye says: Rabbi Elozar the son of Rabbi Yosi, Rabbi Eliezer, and Rabbi Shimon ben Elozar all hold that if the owner has *piggul* thoughts while the *Kohen* performs the service, it is considered a thought that invalidates the sacrifice.

Rabbi Elozar the son of Rabbi Yosi’s opinion is quoted above. Rabbi Eliezer holds this way, as is indicated by the following *Mishna*: If someone slaughtered an animal for an idolater, it is valid. Rabbi Eliezer says: It is invalid.

Rabbi Shimon ben Elozar holds this way, as indicated by the following *Mishna*: Rabbi Shimon ben Elozar said a rule: If something is not fit for storage (*i.e. something forbidden from benefit*) or it is not a proper amount that is fit for storage (*i.e. a tiny amount of something*), and even so, someone did store it away, and somebody else carried it out to a public domain on *Shabbos*, the second person is liable due to the thoughts of the first person. [*This shows that a person other than the one doing the action can cause a change in status.*]

The *Gemora* notes: Rabbi Eliezer and Rabbi Shimon ben Elozar both hold of Rabbi Elozar the son of Rabbi Yosi’s law. Being that they understand this principle is applicable outside the Beis Hamikdash, they certainly hold it applies inside the Beis Hamikdash! For the same reason, Rabbi Elozar the son of Rabbi Yosi presumably does not agree with their opinions, as he perhaps was stringent only regarding the service of the Beis Hamikdash. Rabbi Shimon ben Elozar holds of Rabbi Eliezer’s law, as if he says his law regarding *Shabbos*, he will certainly agree it applies to the more stringent topic of idolatry. For the same reason, Rabbi Eliezer presumably does not agree with



Rabbi Eliezer, as he only understands this applies to idolatry which is compared to the bringing of sacrifices. [*Rashi explains that the Torah held one liable for serving idols if he did so in a way that is like the service of the Beis Hamikdash, even if this is not the normal way to serve this particular idol.*] However, on *Shabbos*, the Torah only forbade calculated labor (*not someone who thinks he is carrying something that is insignificant*). (46b – 47a)

Mishna

What is the appropriate area for the service done with sacrifices? *Kodshei kodashim* must be slaughtered in the northern part of the Courtyard. The bull and goat of *Yom Kippur* are slaughtered in the north, and their blood is accepted in the north. Their blood requires sprinkling between the poles of the *Aron* (ark of the covenant), on the *Paroches* (curtain separating the *Heichal* and the *Kodesh ha'Kodashim*), and on the Golden Altar. The omission of any of the sprinklings will cause the sacrifice to be invalid. The remaining blood (*in the basin*) was spilled on the western base of the Outer Altar. If this was omitted, it does not invalidate the sacrifice.

The communal-error bulls and goats (*i.e. to atone for idolatry*) that are burned are slaughtered in the north, and their blood is accepted in the north. Their blood requires sprinkling on the *Paroches* and on the Golden Altar. The omission of any of the sprinklings will cause the sacrifice to be invalid. The remaining blood was spilled on the western base of the Outer Altar. If this was not done, it does not invalidate the sacrifice. Both of these types of sacrifices are burned by the place of the ashes. (47a – 47b)

Location

The *Gemora* asks: Why doesn't the *Mishna* continue (*after saying that all kodshei kodashim are slaughtered in the north*) by saying that their blood is accepted in the north? [*Why does it start discussing the bull and goat of Yom Kippur?*]

The *Gemora* answers: Being that the *asham* of the *metzora* is *kodshei kodashim* and its blood is accepted by hand and not with a vessel, it did not say this regarding all *kodshei kodashim*.

The *Gemora* asks: Can we not say this regarding an *asham* of the *metzora*? The *Mishna* later states: And *asham metzora* and *asham nazir* are slaughtered in the north, and their blood is accepted in the north!

The *Gemora* answers: Originally the *Mishna* did not write this its blood is accepted by hand and not with a vessel. Later, the *Tanna* realized it must also be accepted with a vessel, and therefore wrote this regarding an *asham metzora* as well.

This is as the *braisa* states: *And he will take*. One might think he will take this blood with a vessel. The verse states: *And he will place (the blood on the metzora)*. This teaches us to compare the taking to the placing of the blood. Just as the placing is done with the hand of the *Kohen*, so too the taking is done with the hand of the *Kohen*. One might think that he also accepts the blood that is meant to be sprinkled on the Altar with his hand. The verse states: *For like a chatas is the asham*. Just as the *chatas* requires a vessel for accepting the blood, so too the *asham* requires a vessel for accepting the blood. In conclusion, this means that two *Kohanim* accept the blood from an *asham metzora*. One does so with his hand, the other does so with a vessel. The one who does so with a vessel does the sprinklings on the Altar, and the one who does so with his hand places the blood on the *metzora*. (47b)

INSIGHTS TO THE DAF

Eighty Replies to One Question

***By: Meoros HaDaf HaYomi
and Many of our Subscribers***

Our *Gemora* states: Rabbi Elozar bar Rabbi Yosi said, I have heard that the owner causes *piggul*. In his opinion, not only a *Kohen* can disqualify a sacrifice with a thought of *piggul* (*that it will be eaten not in its proper time or place*) but the owner of a sacrifice

can disqualify it in the same way.

A question that originated in the *beis midrash* of Rabbi Chayim Berlin zt"l, the Netziv's son, was discussed in all centers of learning everywhere. In his *Sedei Chemed*, HaGaon Rav Chizkiyah Medini zt"l collected the replies to this question from outstanding *talmidei chachamim* in Teveria, Vilna, Germany, etc. The question even graced the world of Torah with the work *Gevuros Shemonim* which, according to its author HaGaon Rav Yosef Engel zt"l (author of *Beis HaOtzar*, *Asvan D'oraissa*, etc.), "discusses one question and answers it in 80 ways". His pupils related that he had many more answers but he sufficed with publishing 80 of them to give his book its unique name.

The question: If the owner causes *piggul*, we cannot test a *sotah* (a woman suspected of adultery) in the Temple, as before she drinks the cursing water, the *Kohen* has to offer the *minchah* (Sotah 23a, s.v. *Kol*) that she must bring. The *sotah*, who surely wants to be saved from the curse, will cause the *minchah* to be *piggul* and without offering the *minchah*, the water does not test her (Sotah 20b)! Rav Berlin continues that this question is only according to Rambam, that *piggul* can be caused also by thought but according to Rashi, that *piggul* is caused only by speech, the *sotah* can be prevented from saying anything.

She can be taken out of the 'Azarah: The fifth of the 80 answers is based on Tosfos (above, 29a, s.v. *Lamakom*), who assert that a thought of *piggul* disqualifies a sacrifice only in the '*Azarah*. If so, the *sotah* can be taken out of the '*Azarah* while the *minchah* is offered. **To force her to say the opposite:** In the 37th answer, Rav Engel advises that the woman be forced to say explicitly that the *minchah* will be eaten in its proper time and place. From then on, even if she thinks frantically that it should be *piggul*, she cannot disqualify anything (according to Pesachim 63a).

The Kohen dispels her thought: In the 18th answer we find an idea based on a fine proof from Rashi on our *sugya* (s.v. *Shama'ti*), that the owner causes *piggul* only if the *Kohen* remains silent. But if the *Kohen* announces his pure intentions, the owner cannot cause *piggul*.

***Piggul* applies only to *shelamim* and *todos*:** Rav Zeev Yitzchak HaLevi Dünner of Germany offered the answer that the owner can cause *piggul* only concerning *shelamim* and *todos*, whose meat they eat, but not regarding an *asham*, *chatas orminchah*, of which they do not partake (and see *ibid*, answer 4).

It would appear that the concept of the owner causing *piggul* is not relevant to the *sotah's minchah*. The *Gemora* (36a; see Rashi ad loc. s.v. Hachi Garsinan Lishna Acharina) says that *piggul*, which entails intending to eat or burn the *korban* at the wrong time, only applies if the one causing the *piggul* can actually do it at the wrong time. But if he himself cannot, intending that others will do it at the wrong time is meaningless. Accordingly, the *halachah* that the owner can cause *piggul* would only apply to *shelamim* and the like, where the owner will indeed be eating the meat, so it is up to him to intend to eat it at the wrong time. But when it comes to the *minchah*, the woman will not be burning the *minchah*, nor will she be eating it. All she can do is intend that the *Kohen* burn or eat it at the wrong time, and that is meaningless.

Let's remember that the woman is not the sole owner, as the husband is the one "sponsoring" the *korban* for her, which has many *halachic* ramifications. Accordingly, it is quite likely that the husband is the one who would have the jurisdiction over the *piggul*, just as we see in Bava Kama Daf 13a-b that when one person sponsors a *korban* for another, the sponsor is entitled to the meat.

Rashi writes that the owner can render it *piggul* if the *Kohen* had no intent, implying that if the *Kohen* explicitly intended the proper thought, the owner's thought would not count. This makes sense, considering that the source for the owner's power to cause *piggul* is that he too is called a *makriv*, but as a *makriv*, he is definitely secondary to the *Kohen*. Accordingly, in the case of the *sotah*, the solution is to ensure that the *Kohen* specifically intends the right thought.

The most obvious answer seems to be that she cannot overpower the intention of the *Kohen* doing the *avodah*. You will note that Rashi says that the owner can cause *piggul* if he has

piggul intention and the *Kohen* kept quiet. From here it seems that if the *Kohen* has an active intention the owner's intention cannot take effect.

Perhaps, since it's not *b'yadah* to eat it *chutz l'zmano* or to be *makriv* it *chutz l'mkomo*, she cannot make it *piggul*.

The Torah says that the husband shall bring her to the *Kohen*, and therefore it's his *korban* not hers.

Perhaps because she would benefit personally from *piggul*, therefore she does not have believability.

Only an innocent woman will actually drink the waters, so as to prove her innocence. Accordingly, she wouldn't cause it to become *piggul*.

The Torah says (Bamidbor 5,15) "Veheivi", which means that the husband brings the *minchah*, so what makes the wife the owner? And even if the waving (of the *minchah*) is done by the wife, so what? The *Kohen* had to do the waving with her as well so he is the owner as well?

In Sotah 19, the Chachamim say (and so is the halachah) that first she drinks and then they start with the *minchah*. There was no chance to cause *piggul* before drinking, and R' Shimon says the *minchah* was first, but who says that he agrees with Rabbi Elozar bar Rabbi Yosi?

It would seem to me that if she deliberately has *machsheves piggul*, she would not be believed to say so since *ain odom maysim atzmo rasha*. (I assume it is forbidden to deliberately invalidate a *korban*, and especially to prevent them from fulfilling *dinei sotah*). The only possible case is if the person says he accidentally had *machsheves piggul*.

Who said the woman is the owner of the *korban*. Perhaps it's being brought for her, not by her, and she can't cause the *piggul*.

If we're concerned that she'll try to get out of drinking she could do it in an easier way by admitting she was guilty. This would

forbid her to her husband, but no death penalty.

Who said the wife is the owner of the *minchah*? Doesn't the husband pay for it and have to "bring her"? Isn't he the owner?

The first though that occurs to me is whether in fact the *korban minchah* prevents the *sotah* from drinking, or is it considered a separate and distinct aspect of the overall process, so that even if it invalidated it, she could still drink?

There is a halachah that if the accused *sotah* declares that she will not drink, then the *korban minchah* must be burned. Therefore, even according to the opinion of the Rambam, if she is completely silent, we need not be concerned with the possibility of her having a *piggul* thought, since she did not verbally refuse to drink. Obviously, she feels that she is innocent, and is willing to do ahead with the entire process - including both a proper *hakravah* of the *korban* and the drinking.

Rashi there says 'if the *Kohen* is quiet while being *mekabel...*' - this sounds like the only then does the owner capable of rendering it *piggul*. Therefore here where there is a concern we'll just have the *Kohen* speak out the correct time and day... and therefore even the Rambam will agree that her intention cannot override or have any impact to the *Kohen's* expression.

Do we see anywhere that we suspect someone to deliberately render something *piggul* - is it not *kares*?

If there is this concern then R' Chaim Berlin should ask more - how can the *Kohen* continue to do the different *avodah's* on an animal which is suspect to be *piggul*?

Saying Eizehu Mekoman before Prayer

For very many years it has been the custom to say the *Mishna* of our chapter, *Eizehu mekoman*, before *shacharis*. The *Tur* (O.C. 50) bases the custom on the *halachah* that every day one should learn Torah (Written), *Mishna* and Talmud (Kiddushin 30a). Therefore we say the *parashah* of the *tamid* and the verses dealing with the sacrifices for the portion of Torah, *Eizehu*

mekoman for *Mishna* and Rabbi Yishmael's *braisa* for the portion of Talmud. Our chapter was chosen from the 524 chapters of *Mishna* because the *Gemora* in Menachos 110a praises those who learn about sacrifices (see *Perishah*, *ibid*, S.K. 2 and 4).

Beis Yosef (*ibid*) cites another reason in the name of the Raah: "because there is no disagreement in the whole chapter and it is a clear *Mishna* handed down from Moshe from Mount Sinai". In other words, this chapter does not contain even one difference of opinions and therefore we assume that it has been handed down from Moshe in its present form (*Peninim Mishulchan HaGra*, end of Shemos, and the *Noda' BiYeudah* wrote likewise in *Doresh LeTziyon, derush 11*). Some also prove thus from the phrasing of the *Mishna* in this chapter, which evidences its antiquity, as we are told: "...and they are eaten within the **curtains** (*kla'im*)". Curtains were not in the Temple but in the Sanctuary (*mishkan*). Therefore, the Tana'im did not formulate this *Mishna* but it originates from the generation of the desert (see *Otzar HaTefilos*, p. 81 in the remark, and *Tiferes Yisrael* on our chapter, *os 22*). 'Ateres Zekeinim on *Shulchan Aruch* (*ibid*) states that the words of this chapter amount to 344 and when we add 1 for reading, we arrive at the numerical equivalent for Moshe – a hint that this chapter was given to Moshe at Mount Sinai in its present phrasing.

Is it really true, many wondered, that there is no difference of opinions in the chapter? Our *Gemora* explains that the *Mishna's* statement, that the *pesach* is eaten only till midnight, is only according to Rabbi Elozar ben Azaryah and not according to Rabbi Akiva (see *Pri Megadim*, *ibid*, in *Eishel Avraham*, and see *Yeshu'as Ya'akov*, S.K. 1). Indeed, the Ritva, the great pupil of the Raah, indicates (*Avodah Zarah 19b*) that Raah did not mean that this chapter was given to Moshe in its present form but "since the whole chapter is learnt with no difference of opinions mentioned at all, it should be learnt more than other chapters".

HaGaon Rav Eliezer Yehudah Waldenberg, who expands on the topic (*Responsa Tzitz Eli'ezer*, IX, 5), cites the reason of *Orchos Chayim* (*Dinei Meah Berachos*, *os 16*), that this chapter includes the secret of all the sacrifices. *Yesod Veshoresh Ha'Avodah* says:

"A person scrutinizing the writings of the Ari z"l will realize its great import, that **every *Mishna* of this chapter is a rectification (*tikun*) in itself** in the high worlds" (see *Tzitz Eli'ezer*, *ibid*).

To conclude, we should mention the statement of Rabbi Shneiur Zalman of Lyadi zt"l (*Responsa HaGraz*, 1:9), that as saying *Eizehu mekoman* before prayer was mainly instituted so that a person should learn something each day, a person "who can learn and understand does not have to say the *parashah* of the sacrifices each day but to say it sometimes suffices".

DAILY MASHAL

How Could You Write a Book on Eizehu Mekoman?

A person who wrote a commentary on *Eizehu mekoman* came with his book to Rebbe Baruch of Mezhibuzh for an approbation. The Rebbe replied, "I wonder how you could write such a commentary. When I come to this chapter, I begin to imagine bringing sacrifices to the Temple and the service of the *kohanim*. My stomach turns over and I'm full of tribulations and suffering" (*Ma'yanah shel Mishna*).

What Is a Sacrifice?

Our *Mishna* says "What is the place of the sacrifices?" – i.e., all the sacrifices. Rabbi Avraham Ibn Ezra writes in his commentary on the Torah (*Shemos 20:20*): "I saw an apostate...who challenged the *chachamim* because they said „What is the place of the sacrifices (*zevachim*)". He said that in all the Torah he found *zevichah* referring only to *shelamim*, such as „*olah uzevachim* as an *olah* is a thing for itself and the *zevachim* are *shelamim*, as in „...and they offered *olos* and slaughtered *zevachim shelamim*" (*Shemos 24:5*) and thus we find everywhere. I showed him that he wasn't speaking correctly as we are told: „...and you will slaughter (*vezavachta*) on it your *olos* and *shelamim*." He then admitted to his sin...that he had disputed men greater than all following generations"