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Zevachim Daf 90

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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

### ***Sacrificial Parts Leaving the Courtyard Early***

Ravina bar Shilo says: The sacrificial parts of *kodashim kalim* that went out of the Courtyard before the blood of the sacrifice was applied are invalid.

The *Gemora* suggests that this is actually a dispute amongst *Tannaim* in the following *braisa*: Regarding the sacrificial parts of *kodashim kalim* that went out of the Courtyard before the blood of the sacrifice was applied, Rabbi Eliezer says: They are not subject to the laws of *me'ilah* (even after their blood is applied), and one is not liable on their account for *piggul*, *nossar*, or *tumah*. Rabbi Akiva says: They are subject to the laws of *me'ilah*, and one is liable on their account for *piggul*, *nossar*, or *tumah*. Now, seemingly, this dispute pertains to a case where the parts were subsequently brought back inside the Courtyard, and the argument is as follows: Rabbi Eliezer holds that the parts became disqualified when they were taken out of the Courtyard (and the application of the blood accomplished nothing), whereas Rabbi Akiva maintains that they did not become invalidated.

Rav Pappa says that if the parts were subsequently brought back inside the Courtyard, they both would agree that the blood application is effective (unlike *Ravina bar Shilo*); the dispute here pertains to a case where the parts remained outside of the Courtyard. Rabbi Eliezer holds that the throwing of the blood accomplishes nothing for parts that are outside of the courtyard, whereas Rabbi Akiva maintains that it is effective.

The *Gemora* asks: But was it not Rav Pappa who said elsewhere that that if they are still outside, there is no disagreement (that the throwing of the blood accomplishes nothing); they disagree only where they were brought back inside?

The *Gemora* answers: That is only in connection with the two loaves (brought together with the two communal *shelamim* lambs on *Shavuot*), which are not part of the sacrifice itself (and therefore, if they remain outside, the throwing of the blood accomplishes nothing); but the sacrificial parts, which are part of the sacrifice itself, they disagree where they are still outside. (89b – 90a)

### ***Taking Precedence***

The *Mishna* had stated: Bird offerings are brought before flour offerings, as they involve an atonement of blood (which *Rashi* says is more of an atonement).

The *Gemora* asks: On the contrary! The *minchah* offerings should take precedence, for they are offered by the public as well as private people (whereas birds are never brought as a public *korban*)!?

The *Gemora* answers: Even so, the fact that they are blood offerings gives them significance.

The *Mishna* had stated: The flour offering of a sinner is before a voluntary flour offering, as it comes because of a sin.



The *Gemora* asks: On the contrary! The voluntary *minchah* offerings should take precedence, for they require oil and *levonah* (frankincense)!?

The *Gemora* answers: Even so, the fact that the sinner's *minchah* offering effects atonement gives it significance.

They inquired: If the *minchah* offering of a *sotah* and a voluntary *minchah* offering were waiting, which one of them takes precedence? Do we say that the voluntary *minchah* is offered first because it requires oil and *levonah*, or do we say that the *minchah* of the *sotah* is offered first because it comes to determine if she sinned or not?

The *Gemora* attempts to answer this question from our *Mishna*. The *Mishna* states: The flour offering of a sinner is before a voluntary flour offering. Evidently, it is only the sinner's *minchah* that takes precedence over the voluntary one; the *minchah* of a *sotah*, however, would not take precedence.

The *Gemora* deflects the proof: Does the *Mishna* state that the sinner's *minchah* takes precedence because it effects atonement (and that would exclude a *sotah*'s *minchah*)? No, it does not! It says that it comes because of a sin, and the *minchah* of a *sotah* comes on account of a sin as well.

The *Gemora* attempts to resolve this from the following *braisa*: This *minchah* precedes that one, because the former is of wheat, while the latter is of barley. Now, are we not referring to a voluntary *minchah*, and it precedes the *minchah* of a *sotah*?

The *Gemora* answers: No, it means that the sinner's *minchah* precedes the *minchah* of a *sotah*.

The *Gemora* asks: If that is what the *braisa* is referring to, then it should have said that the sinner's *minchah* is offered first because it effects atonement whereas the *sotah*'s *minchah* does not!?

The *Gemora* counters: but even if it is referring to a voluntary *minchah* offering, it still should have said that it comes first because it requires oil and *levonah*, whereas the *minchah* of the *sotah* does not!?. Rather, it must be that the *Tanna* of the *braisa* stated merely one of two reasons. (90a)

### **Chatas Before Olah**

The *Mishna* had stated: A bird *chatas* is brought before a bird *olah*.

The *Gemora* cites a *braisa* which provides the Scriptural source for this. It is written: *and he shall offer the one that is for a chatas first*, and the word *first* teaches us that any *chatas* offerings precede an accompanying *olah* offering. This is true regarding a bird *chatas* taking precedence over a bird *olah*; an animal *chatas* taking precedence over an animal *olah*; and even a bird *chatas* taking precedence over an animal *olah*.

The *Gemora* cites a *braisa* (which, seemingly, has a different view): Rabbi Eliezer said: Wherever a *chatas* offering is replaced with a bird offering (where an animal *chatas* is prescribed in the first place, but the Torah permits one who is poor to replace it for two birds, of which one is a *chatas* and one is an *olah*), the bird *chatas* takes precedence (over the bird *olah*); but here (by the woman who gives birth), the bird *olah* takes precedence (for the Torah writes "the *olah*" first, and since the animal *olah* offering would precede the bird *chatas*, the bird *olah* which is replacing the animal *olah*, also comes first). [Another reason for the distinction is as follows:] Wherever it comes on account of a sin, the *chatas* takes precedence; but here the *olah* takes precedence (for she is bringing it to allow her to eat *kodashim*, not for atonement). [And now the *braisa* cites a third reason:] Wherever both birds replace one animal *chatas*, the bird *chatas* takes precedence (over the bird *olah*); but here the *olah* takes precedence (for it is only the *olah* bird that is replacing the animal, since even if she was wealthy, she would still bring a

*chatas* bird). [Evidently, this braisa holds that the wealthy woman would bring the animal olah before the bird chatas!?!]

Rava answers: The Torah accorded it precedence only with respect of its reading in the passage (but not with regard to offering the korban first).

The Gemora cites another braisa (which, seemingly, has a different view): Bulls take precedence over rams; rams take precedence over sheep; and sheep take precedence over goats. Now, is it not referring to the sacrifices offered on Sukkos (where the goats were chatas offerings, and nevertheless, the other animals, as olah offerings, take precedence)!?

The Gemora answers that the braisa is referring to voluntary offerings.

The Gemora explains the rationale for the halachos of precedence mentioned in the braisa: Bulls take precedence over rams, for their libations are larger. The same is true for rams and sheep. The reason why sheep take precedence over goats is because their tail is offered up on the Altar (and by the goats, it is eaten).

The Gemora cites another braisa (which, seemingly, has a different view): If the bull of the Anointed Kohen Gadol and the bull of the congregation are waiting to be offered, the bull of the Anointed Kohen Gadol takes precedence. The bull that is offered for communal error precedes the bull that is offered for the sin of idolatry. The bull that is offered for the sin of idolatry precedes the goat for idolatry. Now, this is true even though the bull being offered is an olah, and the goat being offered is a chatas!?

The Gemora counters: But consider the earlier ruling, which stated that the bull that is offered for communal error precedes the bull that is offered for the sin of idolatry? [Now there, the communal-error bull is a chatas, and the bull for

idolatry is an olah, and the braisa rules that the chatas takes precedence.]

The Gemora explains its question: When it is the same species, we concede that the chatas takes precedence; we are questioning the ruling in a case when they are two different species, and the braisa rules that the bull olah takes precedence over the goat chatas (so perhaps, an animal olah takes precedence over a bird olah)!?

In the West (Eretz Yisroel) they said in the name of Rava bar Mari: The chatas of idolatry lacks an “alef” in the Torah (and that is why it does not take precedence).

Ravina said: It is written: according to the rule (and therefore they are offered in the order specified in the Torah).

They inquired: Which one takes precedence in the following case? There is a chatas bird, an olah animal, and a ma’aser. The chatas bird cannot take precedence, for the ma’aser must precede it! The ma’aser cannot be offered first, for the olah animal must precede it! The olah animal cannot be the first one brought, for the chatas bird takes precedence!

In Bavel, they held that a slaughtered sacrifice (the ma’aser) is more significant (and then the chatas bird is offered followed by the olah). In the West they said: The superiority of an olah animal over the ma’aser (because it is in the category of kodesh kodashim) serves the chatas bird (which accompanies it as a set for the new mother), and elevates the bird over that of the ma’aser. (90a – 90b)

### Mishna

All the chatas offerings in the Torah precede the asham offerings, except the asham of a metzora since it is brought to render him fit (to enter the Temple and eat kodashim). All the asham offerings in the Torah must be in their second year and must be at least two silver shekels in value, except for



the *nazir's asham* and the *metzora's asham* which must be in their first year, and need not be two *shekels* in value.

Just as they take precedence in being offered, so do they take precedence in being eaten. Yesterday's *shelamim* offering and today's *shelamim* offering – yesterday's takes precedence. Yesterday's *shelamim* and today's *chatas* or *asham* offering – yesterday's takes precedence; these are the words of Rabbi Meir. But the Sages say: The *chatas* takes precedence, because it is in the category of *kodshei kodashim*.

And in all these (*offerings that the meat is eaten*), the *Kohanim* may deviate in their mode of eating, and eat them roasted, overcooked, or cooked; and they may season them with spices of *chullin* or *terumah*; these are the words of Rabbi Shimon. Rabbi Meir said: Spices of *terumah* should not be added to them, for the *terumah* will be opened then to disqualification. (90b)

## INSIGHTS TO THE DAF

### **Pauper Bringing the Rich Man's Korban**

The *Mishna* in *Negaim* says that if a poor person who is a *metzora* brings the *korban* that a rich person is supposed to bring, he fulfills his obligation. The *Chinuch* (123) states by a *korban olah v'yoreid* - (*certain sins which require a korban chatos, he either brings an animal, bird or flour offering depending on his status - this is called a fluctuating korban*) if a poor person brings the *korban* of a rich person, he does not fulfill his obligation. The *Chinuch* explains the reason: the Torah had compassion on the poor person, it is not proper for him to compel himself to bring a *korban* which he cannot afford. How can the *Chinuch* hold against the *Mishna*, which explicitly states that he does fulfill his obligation?

The *Chasam Sofer* answers based on the following *Gemora* in *Shabbos*: Hashem punishes each person according to what he can afford. A rich person who sins will lose his cow. A poor person, on the other hand, will lose his chicken or some eggs.

Therefore, there is a distinction between the *korban* of a *metzora* or a woman who gave birth and the *korban olah v'yoreid*. A *metzora* is not required to bring a *korban* because he sinned, it is to purify him and allow him to eat *kodoshim*. If a poor *metzora* decides to bring the rich man's *korban*, he will have discharged his obligation. Conversely, a sinner who does that will not have discharged his obligation, for here the Torah prescribed for him the *korban* which will give him atonement according to his status. The *korban* is in place of the punishment. It is not decided by the pauper what his punishment should be, and therefore when he brings the *korban* of a rich person, he does not fulfill his obligation.

The *Sfas Emes* (*in Nazir and quoted in Moadim U'zmanim as a story which occurred by a Kenesiya Gedola*) answers that there is a basic distinction. A *metzora* disregarding if he is rich or poor, is required to bring a *chatas* and an *olah*. The rich man brings animals and the pauper brings birds. If a poor person brings the *korban* of a rich person, he fulfills his obligation, for he brought the prescribed amount. A *korban olah v'yoreid* is different. A rich person brings an animal for a *korban chatas* and a poor person brings two birds, one for a *chatas* and one for an *olah*. If a poor person will force himself to bring the *korban* of a rich person, he will not fulfill his obligation because he cheated the Altar out of one *korban* - namely the *olah*.

There are two questions on this explanation (*look in Shemuas Chaim and in Mitzvas Hamelech from Harav Eziel Cziment*). Firstly, the *Chinuch* says a different reason for his not fulfilling his obligation. He says because the Torah doesn't want a poor person to overburden himself. He does not say the reason of the *Sfas Emes* that he missed a *korban*? Secondly, one must ask, why is it that a poor person is required to bring two *korbanos* and a rich person only brings one? The *Ibn Ezra* explains the reason for this: A *chatas* bird is completely eaten and an *olah* bird is completely burned on the Altar. These two birds together replace a regular *korban* which entails a human consumption and the Altar's consumption. They are actually one *korban*. Therefore, one

can say that a poor person is not missing a *korban* by bringing one animal instead of two birds?

It would seem, however, that this question can be answered. Even according to the Ibn Ezra, the two birds are not one *korban*. They are two *korbanos* complimenting one another. The rationale behind bringing the two *korbanos* could be because the Torah wants human consumption and the Altar's consumption; nevertheless, it is still two *korbanos* and a poor person is missing one *korban* when he brings the *korban* of a rich person.

### **Saying Korbanos Corresponding to the Sacrifices**

Ever since the Temple was destroyed and the *tamid* is not offered, we say the verses of the sacrifices as a substitute, as the prophet says, "...and may our lips replace bulls" (Hosheia 14:3).

**A *chatas* precedes an *'olah* but what about saying their verses?** Halachic authorities expand on the correlation between the halachos of sacrifices and saying their verses, as *Shulchan „Aruch* rules (O.C. 1:5): "It is good to say the *parashah* of the „*Akeidah* and of the manna and the Ten Commandments and the *parashah* of the *'olah* and *minchah* and *shelamim* and *chatas* and *asham*." *Magen Avraham* (S.K. 8) remarks that he was asked how *Shulchan „Aruch* instructed us differently to the order stated in our tractate, in the mishnah and the *Gemora*, that a *chatas* precedes an *olah*. Many *poskim* discuss this question and in their replies define the rules of saying verses of the sacrifices.

**Why we don't say *yehi ratzon* after the verses of the *chatas*:** *Magen Avraham* (according to *Machatzis HaShekel*, *ibid*) explains that the atonement of the *chatas* is greater than that of the „*olah*. Therefore, someone who must bring a *chatas* and an „*olah*, must bring the *chatas* first. On the other hand, when saying the verses, one should give precedence to the verses of the „*olah* as he certainly needs an „*olah*. An „*olah* atones for ignoring a positive mitzvah and Rava said (above, 7a), "There is no Jew who is not obliged for (missing)

a positive mitzvah." On the other hand, we cannot be sure that he is obligated to bring a *chatas*. Indeed, the *Tur* rules (O.C. 1) that after saying the verses of each sacrifice one should say "May it be Your will that this reciting should be accepted and valued as though I offered a...", except after reciting the verses of the *chatas*. Someone who **knows** that he must bring a *chatas*, innovates *Magen Avraham*, should indeed say the verses of the *chatas* before those of the „*olah*!

*Baer Heiteiv* (S.K. 10) writes about *Magen Avraham's* ruling that it seems from other *poskim* that one should always give precedence to the verses of the „*olah*. Apparently, they had other solutions to this question, as follows.

The author of *Shav Ya'akov* (Responsa, I, 2) offers a few explanations to understand the difference between offering the sacrifices and saying their verses. Bringing a *chatas* before an „*olah* concerns someone who must bring a *chatas* and an „*olah* for the same sin or if both sacrifices have been slaughtered and lie before him. In this case the blood of the *chatas* should be sprinkled before that of the „*olah*. But someone who must bring a *chatas* and an „*olah* for completely different reasons may bring whichever he wants first. As a result, we cannot contend that *Shulchan „Aruch* contradicts the mishnah and the *Gemora*.

In addition, despite the fact that the blood of a *chatas* is sprinkled before that of an „*olah*, the limbs of an „*olah* are burnt on the altar before the limbs of a *chatas* and a *kohen* faced with the blood of a *chatas* and the limbs of an „*olah* or the limbs of a *chatas* and the blood of an „*olah* may do as he sees fit, as explained in our *Gemora* (89b; Rambam, *Hilchos Temidin*, 9:5). In the verses of the sacrifices said before prayers the sprinkling of the blood and the burning of the limbs are included together and it turns out, therefore, that the person did as he saw fit. (Note that we are speaking about saying the **verses** of the „*olah*, *chatas*, etc. and not about *Eizehu mekoman*. These verses are not printed in most *sidurim*).