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Mishna

Neither animals consecrated for the altar nor animals consecrated for the repairs of the Temple may be changed from one sanctity to another. [One who consecrated an animal for the repair of the Temple must not change it to be used for the altar, and once an animal has been designated as olah or a shelamim cannot be changed to a different offering.]

Animals consecrated for the altar may be consecrated (for the repair of the Temple) with a value-consecration. [If e.g., one said with reference to an olah offering, “This animal (i.e., its value) should be for the repairs of the Temple,” the dedication is assessed and the money is given to the Temple treasurer. Its value depends on if it’s a neder or a nedavah. If it’s a neder, i.e., where he said, “It is upon me to bring an olah,” he is responsible if it became lost or died, and therefore the entire animal belongs to him; if he subsequently dedicated it for the repairs of the Temple, he must give its entire value to the Temple treasurer. But in the case of a nedavah, i.e., where he said, “This animal is hereby an olah,” if it died or if it became lost, he is not responsible for it; if he therefore subsequently dedicated it for the repairs of the Temple, he only gives the Temple treasurer a small amount, in consideration for the privilege he has to receive a small sum from an Israelite friend for allowing the latter’s grandson, a Kohen, to offer the animal and receive its hide.] It may also be declared as a cheirem vow. [Here, too, if the animal is a neder, he gives the full value to a Kohen, and if it is a nedavah, he gives the value of his privilege to the Kohen.] If they (animals consecrated for the altar) die (even after developing a blemish) they are buried. [They cannot be redeemed and given as food to the dogs. And even according to the Tanna who holds that we may redeem blemished animals even if the only thing they can be used for is to give to the dogs

as food, this only applies when they became a tereifah, since they can be stood before us and evaluated (ha’amadah and ha’arachah), but not when they are dead. Alternatively, it may mean where the animal was slaughtered before their redemption. Consequently they are buried.] Rabbi Shimon says: Regarding animals consecrated for the repairs of the Temple, if they died, they are redeemed (for there is no requirement by them that they must “stand and be evaluated”). (32a)

ReConsecrating Consecrated Animals

Rav Huna said: If one reconsecrated ‘consecrated animals for the altar’ for a cheirem to the Kohanim, his action is of no consequence. This is because it is written: any cheirem, the most holy, it is to Hashem, intimating that every cheirem that comes from what is most holy (offerings for the altar) belongs to Hashem (and not to the Kohanim).

The Gemora asks on Rav Huna from the following braisa: If one reconsecrated ‘consecrated animals for the repairs to the Temple,’ whether for the altar or for a cheirem to the Kohanim, his action is of no consequence. [This is because something consecrated for the repair of the Temple cannot itself be released from the purpose of its consecration; he also does not have any privileges in it.] If one reconsecrated ‘Kohanic-cheirem animals,’ whether for the altar or for the repairs of the Temple, his action is of no consequence. [This is because he has no share in them at all; not even the right of disposal, since he can only give them to the Kohanim of that particular watch.] Now this implies that if one reconsecrated ‘consecrated animals for the altar’ for a cheirem to the Kohanim (a case which the braisa omitted), his action is valid (and he gives a small amount to the Kohanim; this is because he has the benefit of gratitude to give

it to a specific Kohen to offer it)! Shall we say that this refutes Rav Huna?

The Gemora answers: Rav Huna can answer that when the Tanna left out this case (the reconsecration of animals consecrated for the altar), it is for the purpose of teaching that if one reconsecrated 'consecrated animals for the altar' for the repairs of the Temple, his action is valid (and he must give them a small amount), but if he reconsecrated for the purpose of a cheirem to the Kohanim, his action is of no consequence (based on Rav Huna's exposition of the verse).

The Gemora asks: But why not state this case (that if he reconsecrated for the purpose of a cheirem to the Kohanim his action is of no consequence) together with the others (that are not valid)?

The Gemora answers: The Tanna mentions a case which has both instances (where it is not valid), but does not state a case (such as this one) which does not have both instances. [Regarding consecrated animals for the altar - if they were reconsecrated for a cheirem to the Kohanim, the action is of no avail, as Rav Huna teaches, whereas if they were reconsecrated for repairs of the Temple, the action would be valid. The cases mentioned in the braisa are of no consequence in both instances.]

The Gemora asks on Rav Huna from our Mishna: Animals consecrated for the altar may be consecrated with a value-consecration [and it may also be declared as a cheirem vow]. Now, doesn't the expression 'value-consecration' refer to the consecration for the repairs of the Temple, and the expression 'it may also be declared as a cheirem vow' means as a cheirem for Kohanim (and it emerges that an animal consecrated for the altar may be reconsecrated for a cheirem for the Kohanim; this contradicts Rav Huna's ruling)!?

The Gemora answers: No. In both cases ('value-consecration,' and 'cheirem vow'), the reference is to consecrations for the repairs of the Temple, and the Mishna is teaching us that it doesn't make a difference whether he expresses this in the

language of 'consecration' for the repairs of the Temple or in the language of 'cheirem' for the repairs of the Temple. [The vow is valid either way, but if consecrations for the altar have been declared as a cheirem vow for Kohanim, it is of no consequence.]

The Gemora asks: But a braisa (explaining the Mishna) did not teach in that way, for it was taught: The expression 'value-consecration' refer to the consecration for the repairs of the Temple, and the expression 'it may also be declared as a cheirem vow' means as a cheirem for Kohanim (and it emerges that an animal consecrated for the altar may be reconsecrated for a cheirem for the Kohanim, which contradicts Rav Huna's ruling)!? And, furthermore, it has been explicitly taught in a braisa: If one reconsecrated 'consecrated animals for the altar' for a cheirem to the Kohanim, the act is valid. Shall we say that this refutes Rav Huna?

The Gemora concludes that it indeed a refutation.

The Gemora asks: But doesn't Rav Huna state a Scriptural verse (to support his ruling)?

Ulla answers: The Torah, instead of saying, 'cheirem' said, 'any cheirem' (intimating that the cheirem of Kohanim does take effect, even on animals consecrated for the altar).

The Gemora asks: Did Ulla really say this (that it does take effect)? But Ulla said: If one reconsecrated an olah offering for the repairs of the Temple, there is nothing to prevent the offering of a sacrifice except that we must wait for the approach of the Temple trustees (for the owners must be present when their offering is brought; otherwise, there is no effect on the animal)!?

The Gemora answers: The braisa means Rabbinically (it takes effect), and the Scriptural verse refers to me'ilah (that one cannot derive benefit from a cheirem for the Kohanim). [Me'ilah - one who has unintentionally benefited from hekdesch or removed it from the ownership of the Beis Hamikdash has committed the transgression of me'ilah, and as a penalty, he



would be required to pay the value of the object plus an additional fifth of the value; he also brings a korban asham.]

The Gemora asks: Is a verse necessary to teach the law of *me'ilah* here? Is it not written regarding these *cheirem's*: *it is most holy*?

The Gemora disagrees (that '*most holy*' connotes the law of *me'ilah*), for according to you, let us consider that which Rabbi Yannai said: The law of *me'ilah* is not explicitly mentioned in the Torah, except in the case of an *olah* offering, since it is written: *A person who commits me'ilah and sins through ignorance against the holies of Hashem*, which means such dedications that are exclusively to Hashem (for an *olah* is completely burned on the altar); but that the law of *me'ilah* applies to a *chatas* and an *asham* is derived only from the teaching of Rebbe, as it has been taught in a *braisa*: Rebbe says: The verse, '*all cheilev is for Hashem*' includes the sacrificial parts of *kodashim kalim* (sacrifices of a lesser sanctity; they may be eaten anywhere within the city of Yerushalayim) – that they are subject to the law of *me'ilah*. Now, here too we may ask, what is the necessity for an additional Scriptural verse? Does it not say in connection with a *chatas* and an *asham*, '*most holy*'? Rather, it is evident then that although the Torah says, '*most holy*' in that connection, there is still a need for a Scriptural verse to include them in the law of *me'ilah*; and the same applies to *cheirem* - that although the Torah says, '*most holy*' in that connection, there is still a need for a Scriptural verse to include them in the law of *me'ilah*.

It was stated above: [Ulla said:] If one reconsecrated an *olah* offering for the repairs of the Temple, there is nothing to prevent the offering of a sacrifice except that we must wait for the approach of the Temple trustees (for the owners must be present when their offering is brought; otherwise, there is no effect on the animal).

The Gemora asks from a *braisa*: If one reconsecrated an *olah* offering for the repairs of the Temple, one must not slaughter it until it is redeemed (that its value should be given to the repairs of the Temple; evidently, the vow does take effect)!?

The Gemora answers: It is merely a Rabbinical enactment.

The Gemora notes that this explanation is reasonable, since the latter clause (in the *braisa*) states: If he transgressed and slaughtered it (without '*redeeming*' it), what he has done is valid. Now, if it were a Biblical requirement, why is the act valid?

The Gemora counters: But if it is a Rabbinical enactment, let us consider the latter clause: And if he unlawfully benefited from the *olah*, he has transgressed twice the law of *me'ilah* (for it was consecrated for the altar and for the Temple repairs). Now, if it were only a Rabbinical enactment, why are there two transgressions of the law of *me'ilah*?

The Gemora answers: The *braisa* means that it would be capable of involving two transgressions of *me'ilah* (if it would be Biblical). (33a – 33b)

DAILY MASHAL

On His Son's Demise

Rabbi Menachem Zemba had a son who fell ill and passed away when he was only 19 years old, a few weeks after he was wed to the granddaughter of the *Sefas Emes* of Gur zt"l. Rabbi Zemba then printed his *chidushim*, *Gur Aryeh Yehudah*, embellished with the eager approbations (*haskamos*) of the leaders of the generation in view of the young gaon's genius.

Rabbi Zemba writes in his preface that the work is like "someone who sanctified his '*olah* for *bedek habayis*". His son was like a perfect '*olah* for Hashem, an unblemished sacrifice without sin. Printing the work adds to him the sanctity of *bedek habayis* to strengthen Hashem's house in His world, which in our era consists only of the *beis hamidrash* - the "four cubits" of halachah and Torah.