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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

**Mishna**

[This *Mishna* is referring to one who sinned and is obligated to bring a sliding-scale offering. If he is wealthy, he brings a female lamb or kid as a *chatas*. If he is poor, he brings turtledoves or pigeons; one as a *chatas* and one as an *olah*. If he is extremely poor, he brings a *minchah* offering for his *chatas*.] One may bring with money designated to buy a female lamb a female kid, or with money that was designated to buy a female kid, one may bring a female lamb (for both these animals are being offered for the same sin); or with money that was designated to buy a female lamb or a female kid, one may bring turtledoves or pigeons; or with money that was designated to buy turtledoves or pigeons, one may bring a tenth of an *eifah* (as a *minchah* offering).

How is this? If a (wealthy) person designated money for a female lamb or a female kid and he became poor, he may bring a bird offering (for his *chatas*); if he became even poorer, he may bring a tenth of an *eifah*.

If a (poor) person designated money for the tenth of an *eifah* and he became rich, he must bring a bird offering; if he became even richer, he must bring a female lamb or a female kid.

If a (wealthy) person designated a female lamb or a female kid and they developed a blemish, he may (if he became poor), if he so wishes, bring with their proceeds a bird offering; but if he designated a bird offering and it developed a blemish, he may not bring with its proceeds the tenth of an *eifah*, since a bird offering cannot be redeemed. (27b)

**Scriptural Sources**

The *Gemora* asks: From where do we know this?

The *Gemora* answers: it is from the following *braisa*: It is written (by the female lamb or female kid): from his *chatas*; (by the bird offerings): from his *chatas*; (by the *minchah* offering): on his *chatas*. What do these teach us? From where do you know to say that one may bring with money designated to buy a female lamb a female kid, or with money that was designated to buy a female kid, one may bring a female lamb; with money that was designated to buy a female lamb or a female kid, one may bring turtledoves or pigeons; or with money that was designated to buy turtledoves or pigeons, one may bring a tenth of an *eifah*? How is this? If a (wealthy) person designated money for a female lamb or a female kid and he became poor, he may bring a bird offering (for his *chatas*); if he became even poorer, he may bring a tenth of an *eifah*. If a (poor) person designated money for the tenth of an *eifah* and he became rich, he must bring a bird offering; if he became even richer, he must bring a female lamb or a female kid. If a (wealthy) person designated a female lamb or a female kid and they developed a blemish, he may (if he became poor), if he so wishes, bring with their proceeds a bird offering; but if he designated a bird offering and it developed a blemish, he may not bring with its proceeds the tenth of an *eifah*, since a bird offering cannot be redeemed. This is why the Torah states: (by the female lamb or female kid): from his *chatas*; (by the bird offerings): from his *chatas*; (by the *minchah* offering): on his *chatas*. [Rashi explains that since it is written ‘from his *chatas*’ by the wealthy person and by the moderately poor person, that teaches us that even if only part of the money was used (for he became poor and purchased a lesser-worth offering), he nevertheless gains atonement; and by the fact that the verse says ‘on his *chatas*,’ that teaches us that if something is added to the poor man’s money, it will also provide atonement.]

The *Gemora* notes that it is necessary for the Torah to state 'from his chatas' in connection with a female lamb or female kid as well as in connection with a bird offering; for if the expression had only been stated in connection with money designated for a female lamb or female kid, then I might have said that if he designated money for a female lamb or female kid and he became poor, part of that money may be applied to a bird offering, and he brings a bird offering, since a lamb and a bird offering are both types of blood offerings, but as for the tenth of an *eifah*, since it is not a blood offering, I might have said, had not the expression 'from his chatas' been stated in connection with the bird offering, that if he designated money for a pair of birds and he became even poorer, he may not bring with it the tenth of an *eifah*, for it is not a blood offering, but he must bring the tenth of an *eifah* from his property, while that money which he had designated (for the birds) shall fall (to the Temple fund) for voluntary (communal) offerings. Therefore the Torah also stated 'from his chatas' in connection with the bird offering to teach you that with the money designated to buy a bird offering he may also bring the tenth of an *eifah*. And why is the expression 'on his chatas' stated in connection with the tenth of an *eifah*? It is to teach you that if a man designated money for the tenth of an *eifah* and before he brought the offering he became rich, he must add more money to it and bring a bird offering, and if he became still richer he must add even more money to it and bring a female lamb or a kid.

The *Gemora* asks: And why is the expression 'on his chatas' stated in connection with the tenth of an *eifah* (and not in connection with the bird offering)?

The *Gemora* answers: If the expression 'on his chatas' were stated in connection with the bird offering, I might have said that only if he had designated money for a pair of birds and he became rich may he add more money to it and bring a female lamb or a kid, since they are both blood offerings; but if he designated money for the tenth of an *eifah* and he became rich, then if he did not become very rich, he must bring from his property a bird offering, and if he became very rich he must bring from his property a female lamb or a kid, while that money which he had initially designated shall fall to the fund for

voluntary (communal) offerings. This is why the Torah states the expressions 'from his chatas' in connection with the offering brought by a rich person and also in connection with the offering brought by a poor person, and the expression 'on his chatas' in connection with the offering brought by a very poor person to teach you the expositions in the manner we have stated above. (27b)

#### **Rich Man; Poor Man – and their Offerings**

Rabbi Elozar said in the name of Rabbi Oshaya: If a rich person entered the Temple while he was *tamei* and he designated a pair of birds instead of his female lamb (that he was obligated to bring), and he then became poor; since the offering was rejected (while he was rich), it remains rejected.

Rav Huna the son of Rabbi Yehoshua: From this we learn three things. We learn that he holds that live animals can be permanently rejected from being able to be brought as sacrifices. He also holds that even if the consecrated item was originally invested only with a monetary sanctity (it cannot be intrinsically holy for these birds were ineligible to be used for the rich man's offerings), it permanently rejects it from being brought as a sacrifice. He also holds that if originally (at the time of its designation), it is not fit, it is permanently rejected.

Rav Ukva bar Chama asked from the following *braisa*: If a man designated before the Passover a female lamb for his *pesach* offering (when it is required to be a male), it must be left to graze until it develops a blemish; it is then sold and with its proceeds, he may bring a *pesach* offering. If it gave birth to a male, it must be left to graze until it develops a blemish; it is then sold and with its proceeds, he may bring a *pesach* offering. Rabbi Shimon says: It itself (the offspring) may be brought as a *pesach* offering. It emerges (from the opinion of R' Shimon) that living animals are not rejected!?

Rabbi Oshaya replied: I stated my view in accordance with the opinion of the Rabbis, for it is Rabbi Shimon who holds that living animals are not rejected, and that the casting of lots (for the two chatas goats on Yom Kippur) are not essential, for it was taught in a *braisa*: **[Two goats are taken on Yom Kippur to the Temple. A lottery is performed to see which one is offered as a**

**sacrifice, and which one is the Azazel goat.]** If one of the two goats died (*after the casting of the lots*), he brings the other without casting lots. We therefore see that he holds that living animals are not rejected; neither is the casting of lots indispensable.

Rav Chisda said: **[There are certain times when one is obligated to bring two bird offerings, one *chatas* and one *olah*. One example of such a person is a woman who has given birth and can't afford a lamb. The Torah says she should purchase them and the Kohen will make one a *chatas* and one an *olah*. From here the *Gemora* derives that one can only designate which is which at the time of purchase or the time the sacrifice is offered.]** Bird offerings are designated (*as a chatas or an olah*) only at the time of purchase by the owner or at the time of offering by the Kohen.

Rav Simi bar Ashi said: What is the reason for Rav Chisda's view? It is because it is written: *And she shall take two turtledoves ... and the Kohen shall make ...* thereby indicating that the designation is made either at the time of the owner's taking or at the time of the Kohen's making of the offering.

The *Gemora* asks a question from a *braisa*: *And it made it a chatas*; this implies that the lottery cast determines whether or not it is a *chatas*, not a person's designation. We require this teaching, as otherwise we could derive a *kal vachomer*: If in a case where a lottery does not designate the specific animal for a specific *korban (by an ordinary sacrifice)*, a person can make this designation; certainly where a lottery can make a designation, a person could also make the designation! This is why the verse states: *And it made it a chatas*. This shows us that the lottery cast determines whether or not it is a *chatas*, not a person's designation. Now (*in this braisa*), designation was equated with the lot; and just as the lot is effective - not necessarily at the time of purchase or at the time of offering, so too designation is effective - not necessarily at the time of purchase or at the time of offering!?

Rava answered: The *braisa* means as follows: If in a case where a lottery does not designate the specific animal for a specific

*korban (by an ordinary sacrifice)* - even when cast at the time of purchase or at the time of offering, a person can make this designation - either at the time of purchase or at the time of offering; certainly where a lottery can make a designation neither at the time of purchase or the time of offering, a person could also make the designation - either at the time of purchase or at the time of offering! This is why the verse states: *And it made it a chatas*. This shows us that the lottery cast determines whether or not it is a *chatas*, not a person's designation.

The *Gemora* asks on Rav Chisda from the following *braisa*: If a poor man entered the Temple while he was *tamei* and he designated a pair of birds, and then he became rich (*where the halachah is that the money should be used for an animal chatas*), and afterwards he said (*thinking that the money should still go for the pair of birds*), "This money shall be for my *chatas* offering and this for my *olah* offering," he may add to the money assigned for his bird *chatas* and bring with it his obligation (*for his animal chatas*), but he may not add to the money assigned for his bird *olah* and bring with it his obligation (*for his animal chatas, for it cannot be switched from an olah designation to a chatas*). Now here, the designation was made, neither at the time of purchase nor at the time of offering, and yet it states that he may bring his obligation from the money assigned for his *chatas* but not from that assigned for his *olah*!?

Rav Sheishes said: And do you think that the *braisa* is correct (*the way it is written*)? [It surely cannot be] for it said: "and then he became rich, and afterwards he said," whereas Rabbi Elozar said in the name of Rabbi Oshaya: If a rich person entered the Temple while he was *tamei* and he designated a pair of birds instead of his female lamb (*that he was obligated to bring*), he has not fulfilled his obligation (*so how here could he designate the money for an olah bird after he became wealthy*)? In order for the *braisa* to be correct you must say that he had *already* designated it when he was still poor; then here too (*regarding the challenge to Rav Chisda*), we will say that he had already designated it when he initially designated the money.



The *Gemora* asks: But according to Rabbi Chagga who said in the name of Rabbi Oshaya that he has fulfilled his obligation, what can be said (*for we do not need to emend the text of the braisa*)?

The *Gemora* answers: The *braisa* should be understood to mean that “afterwards, he purchased (*a bird*) and said.”

The *Gemora* asks on Rabbi Chagga from the following *Mishna*: If a poor *metzora* brought the offerings of a rich *metzora*, he has fulfilled his obligation; if, however, a rich *metzora* brought the offerings of a poor *metzora*, he has not fulfilled his obligation. Is this not a refutation of Rabbi Chagga’s ruling in the name of Rabbi Oshaya (*that a rich person can fulfill his obligation with the offering of a poor person*)?

The *Gemora* answers: He can reply that it is different in the case of a *metzora*, for the Torah imposed there a limitation by the word ‘*this*,’

The *Gemora* asks: If so, then even a poor *metzora* who brought the offerings of a rich *metzora* should not fulfill his obligation?

The *Gemora* answers: This cannot be, for this case is included by the expression ‘*the law*.’

The *Gemora* cites a *braisa* supporting this distinction – that only by a *metzora* is the law that a rich person, who brings the offering of a poor person, has not fulfilled his obligation, but one who enters the Temple while *tamei* – a rich person who brings the offering of a poor person, has indeed fulfilled his obligation. (27b – 28a)

### **Mishna**

Rabbi Shimon says: The Torah always mentions lambs before goats. One may assume that this is because lambs are superior to goats in quality. The Torah therefore teaches (*regarding a chatas offering*) where it is said *if he shall bring a lamb as his offering*. Prior to this verse it is said *he shall bring as his offering a she-goat*, and thus we see that the lamb and the goat are equal.

The Torah always mentions turtledoves before young pigeons. One may assume that this is because turtledoves are superior to young pigeons in quality. The Torah therefore teaches (*regarding an offering when a woman has given birth*) by saying: a young pigeon or a turtledove for a *chatas*, and thus we see that both are equal.

The Torah always mentions the father before the mother. One may assume that this is because the honor due to the father exceeds the honor due to the mother. The Torah therefore teaches: *Every man shall revere his mother and his father* - to teach that both are equal. But the Sages have said: The father comes before the mother in all places (*regarding honoring*), because both he and his mother are bound to honor the father.

And so it is also regarding studying Torah (*one must honor the one who teaches him Torah*); if the son has merited to study (*most of his learning*) before the teacher, the teacher comes before the father in all places (*regarding honoring*), because both he and his father are bound to honor the teacher. (28a)

### **Cries of the Courtyard**

The *Gemora* cites a *braisa*: The Temple Courtyard cried out four cries (*i.e. a Heavenly voice cried out, or alternatively, it would have been fitting for the courtyard to have cried out*).

The first cry was, “leave here, sons of Eli, who defiled the Sanctuary.” [*This refers to Pinchas and Chafni, the two sons of Eli, who committed grave sins and caused that the house of Eli forfeited the priesthood.*]

The Courtyard also cried out, “Open up, O gates, so that Yochanan ben Nadbai, a student of Pinkai, can enter and fill his stomach with the holy offerings of heaven.” It was said regarding Yochanan ben Nadbai that he would eat four *se’ah* of young birds for dessert. They said that in his days there was never any leftover in the Courtyard.

The Courtyard also cried out “Raise up your heads, O gates, so Yishmael ben Pikai, a student of Pinchas, may enter and serve as the *Kohen Gadol*.

The Courtyard also cried out “leave here, Yissachar, a man from the village of Barkai, who honors himself but desecrates the sacred offerings of Heaven.” This was because he would wrap his hand in silk and perform the sacrificial service. [*The Gemora in Pesachim explains: Regarding the procedure of receiving the blood of the sacrifices, it is said: the Kohen shall take from the blood of the offering. The extra words the Kohen teaches us that the Kohen must perform the service with his body, and nothing can interpose between the utensil and his skin. By wearing a silk cloth, Yissachar from the village of Barkai invalidated the service, and furthermore, Yissachar disgraced the service by not handling the flesh and blood of the offerings directly with his hand.*]

A king and queen of the Hasmonean dynasty were debating what tastes better, the meat of a kid or the meat of a lamb. The king claimed that the meat of a kid tastes better, whereas the queen claimed that the meat of a lamb tasted better. They decided that although meat of a lamb normally tastes better, the Kohen Gadol could determine for them whether a choice cut of kid’s meat would be superior to a choice cut of lamb meat. This was because the Kohen Gadol was consuming on a daily basis the fattest goats and lambs. Yissachar ben Barkai, with a dismissive waive of his hand, told the king, “If the kid’s meat is better, it should be offered for the *tamid* sacrifice.” The *tamid* offering, offered twice daily, was a lamb offering. Since the *tamid* was brought every day of the year, it must be the most important of all the sacrifices. The king became incensed, and said, “Since this man has no fear of the king, let us cut off his right hand.” Yissachar gave a bribe to the king’s servant, and he had his left hand cut off instead. The king heard about this and he had Yissachar’s right hand cut off also. Yissachar lost his right hand because most of the services that were performed in the Bais HaMikdash were performed with the right hand. He lost his left hand because he used his left hand to warp the silk around his right hand. Since his sin began with his left hand, he lost his left hand first. Rav Yosef said, “Blessed is the Merciful One who punished Yissachar, a man from the village of Barkai in this world. The punishment that Yissachar received served as a warning to other *Kohanim* to respect the sacrificial offerings.

Rav Ashi said: It is evident from his opinion stated that Yissachar, a man from the village of Barkai, was not learned, because the *Mishna* states that Rabbi Shimon says: The Torah always mentions lambs before goats. One may assume that this is because lambs are superior to goats in quality. The Torah therefore teaches (*regarding a chatas offering*) where it is said *if he shall bring a lamb as his offering*. Prior to this verse it is said *he shall bring as his offering a she-goat*, and thus we see that the lamb and the goat are equal.

Ravina said: Yissachar did not even read Scripture, as the Torah states regarding a *shelamim* offering *if he offers a sheep, if his offering is a goat*. The Torah does not state a preference, so this indicates that he can bring a lamb for his *shelamim* offering, or he can bring a goat for his *shelamim* offering.

Rabbi Elozar said in the name of Rabbi Chanina: Torah scholars increase peace in the world, for it is said: *And all your children shall be disciples of Hashem; and abundant shall be the peace of your sons*. Do not read it “*your sons*,” but rather “*your builders*.” (28a – 28b)

## WE SHALL RETURN TO YOU, HAMEIVI ASHAM

### AND TRACTATE KERISUS IS CONCLUDED

#### INSIGHTS TO THE DAF

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

The *braisa* states: Other people who are obligated to bring bird offerings by the Torah (*because they cannot afford to buy animal offerings*) who already designated the money to buy the birds (*and then became rich*), if they now want to bring a *chatas* or *olah* offering instead, they may do so.

The Mefarsh understands this *Gemora* to be referring to a rich woman who has given birth, where her *chatas* is a bird.

It is noteworthy that after the Torah discusses the *korban* that a rich woman who has given birth brings, it says [Vayikra 12:7]: *This is the law of a woman who gives birth to a male or to a female*. The question is asked: Immediately following this verse, the Torah teaches us the *korbanos* that a poor woman who has given birth brings. Why would the Torah say regarding the rich woman's *korbanos* that "*this is law of a woman who gives birth*"? It would seem from the verse that only the rich woman's *korbanos* are the law, and not the *korbanos* from the poor woman.

The Kli Chemdah (*Parshas Tazria*) cites a *Gemora* in Menochos (110a): It is written: *This is the law of an olah*. The *Gemora* expounds: Anyone that studies the laws of an *olah* is considered as if he brought a *korban olah*. What would be if a poor person would recite the portion dealing with the rich person's *korbanos*? Would it be regarded as if he brought the *korban*? The answer may be gleaned from the fact that the Torah concluded the portion dealing with the rich woman's *korbanos* with the following verse: *This is the law of a woman who gives birth*. The Torah is informing us that the recital of this portion is sufficient for anyone, even for a poor woman.

We can add that the *Mishna* in Negaim compliments this explanation. For the *Mishna* 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 (*here 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.

### DAILY MASHAL

#### ***Torah Scholars Increasing Peace***

Rabbi Elozar said in the name of Rabbi Chanina: Torah scholars increase peace in the world, for it is said: *And all your children shall be disciples of Hashem; and abundant shall be the peace of your sons.*

The commentators ask: Why does it say that the Torah scholars will increase peace in the world? The *Gemora* should say that they will make peace in the world.

The Kedushas Tziyon explains based on a *Gemora* Kiddushin (30b) where Rabbi Chiya bar Abba states that even a father and son, or a teacher and student who are engaged in Torah study will become enemies with one another (*as they debate the intricacies of Talmudical law*), but they will not budge from there until they become friends with each other.

It emerges that Torah scholars are increasing peace in the world because every time they are engaged in Torah study, they become temporary enemies and then, they bring about peace with each other. Ordinary friends remain friends, and are not constantly making peace. Torah scholars; the more they learn, the more they are increasing peace.

#### ***The Right Hand and the Left Hand***

The *Gemara* states that Yissachar ben Barkai was punished for disgracing the service in the Bais HaMikdash. Regarding the procedure of receiving the blood of the sacrifices, it is said: *the Kohen shall take from the blood of the offering*. The extra words *the Kohen* teaches us that the Kohen must perform the service

with his body, and nothing can interpose between the utensil and his skin. By wearing a silk cloth, Yissachar from the village of Barkai invalidated the service, and furthermore, Yissachar disgraced the service by not handling the flesh and blood of the offerings directly with his hand. Yissachar was punished by the king who said, "Since this man has no fear of the king, let us cut off his right hand." Yissachar gave a bribe to the king's servant, and he had his left hand cut off instead. The king heard about this and he had Yissachar's right hand cut off also. The Maharsha writes that Yissachar lost his right hand because most of the services that were performed in the Bais HaMikdash were performed with the right hand. The Ben Yehoyada writes that he lost his left hand because he used his left hand to wrap the silk around his right hand. Since his sin began with his left hand, he lost his left hand first. The significance of the right hand and the left hand are noted in many places in the Torah and in the *Gemara*. One who is right-handed will tie his Tefillin with his right hand on his left arm. One must place his right shoe on his right foot first, then place the left shoe on his left foot, and then tie the left shoe, and afterwards tie the right shoe. Apparently the right hand always receives precedence to the left hand. The right represents *chesed*, kindness, and the left represents *din*, judgment. One should always make the effort to judge someone's action favorably before accusing someone of committing a sin. When HaShem created the world, He thought, so to speak, of creating the world with judgment only. When HaShem foresaw that the world could not exist only on judgment, He created mercy, and this is what allows the world to continue to exist. Let us always remember the Right Hand of HaShem which is extended to all of mankind as an opportunity to repent, as we recite in the High Holidays Prayers, *ki yemincho peshutah lekabel shavim*, Your right hand is extended to accept those who repent.

#### ***Berachos, Nazir, Yevamos, Kerisos***

Rabbi Elazar's dictum concludes three tractates aside from our tractate: *Berachos*, *Yevamos* and *Nazir*. It is fascinating to discover that their initials spell *banayich* ("your sons") (*Peninim Mishulchan HaGera*, 334).