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Me'ilah Daf 5

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Daf Notes is currently being dedicated to the neshamot of

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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

Moment of Permissibility

Rabbi Yehoshua stated this general rule: Whatever had a moment of permissibility to the *Kohanim* is not subject to the law of *me'ilah* (one who has unintentionally benefited from *hekdesh* 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*), and whatever had no moment of permissibility to the *Kohanim* is subject to the law of *me'ilah* (for it is still regarded as '*kodshei Hashem*' – sanctified items that are reserved for Hashem). What is something which had a moment of permissibility to the *Kohanim*? That which remained overnight, or became *tamei*, or it was taken out from its place. And what is that which had no moment of permissibility to the *Kohanim*? Those that were slaughtered with a 'beyond its time' or 'outside of its place' intention, or whose blood was received and applied by disqualified people.

Bar Kappara said to Bar Padda: Son of my sister! Analyze (*this Mishna*) well, so you can ask me tomorrow at the study hall: Does "a moment of permissibility to the *Kohanim*" mean "permitted through slaughtering" (once it was properly slaughtered, the other blood services can be performed by the *Kohanim*, and therefore the law of *me'ilah* does not apply any longer to it), or, does it mean "permitted for throwing its blood" (that the other services have been completed and the *zerikah* may be performed; it is at this point that the law of *me'ilah* has been removed; *Tosfos* explain that this is because

of the principle that something that stands to be done is as if it has been done already, and therefore it is as if the blood has been thrown already, which would render the meat permitted, and therefore, the status of me'ilah is removed), or perhaps, it means "permitted for consumption" (that once it is actually permitted to be eaten, the me'ilah status is removed)?

[The next day, he asked this question and Bar Kappara answered:] Chizkiyah said: It means "permitted through slaughtering," and Rabbi Yochanan said that it means "permitted for consumption."

Rabbi Zeira said: Our *Mishna* does not correspond either with the view of Chizkiyah or that of Rabbi Yochanan, for our *Mishna* stated: What is a case of disqualified *kodshei kodashim* which is removed from *me'ilah* because it had a moment of permissibility to the *Kohanim*? That which stayed past its time, or became *tamei*, or it was taken out from its place. Now, does this not mean that the blood remained past its time (after nightfall, when it cannot be thrown on the Altar any longer), and yet it states that the law of *me'ilah* does not apply, a statement which proves that "permitted for throwing its blood" (that the other services have been completed and the *zerikah* may be performed) is meant? [This obviously contradicts R' Yochanan, for he says that *me'ilah* is not removed until it is "permitted for consumption," meaning – after the throwing of the blood. And the *Mishna's* wording seems to contradict Chizkiyah, for according to him, the status of *me'ilah* is already removed from the time of slaughtering, so the *Mishna* should have taught an even greater novelty – that even if the accepting of

the blood was done improperly, the status of me'ilah is removed!?)

The *Gemora* disagrees by asserting that the *Mishna* means that the meat remained overnight, but the blood had been thrown, and it is for this reason that the *Mishna* states that the law of *me'ilah* does not apply.

The *Gemora* cites our *Mishna*: And what is that which had no moment of permissibility to the *Kohanim*? Those that were slaughtered with a 'beyond its time' or 'outside of its place' intention, or that disqualified people received its blood and threw its blood. How is the last instance to be understood? [*Is it one case that these disqualified people received **and** threw the blood, or is that they received the blood **or** they threw the blood (but not both)?*] Shall I say that these disqualified people received **and** threw the blood; why is it necessary to have this twofold disqualification (*as soon as they accepted the blood, the meat will be something that had no moment of permissibility to the Kohanim*)? You must then understand it that the blood was received by these disqualified people and it was thrown by qualified people, and it states that in this case the law of *me'ilah* applies. This would prove that "permitted for consumption" is meant.

Rav Yosef asked: Should it enter your mind that the case can be separated in such a manner (*that the disqualified person either accepted the blood or threw the blood*), let us consider that which we have learned in a different *Mishna* (*with the same wording*): The blood of an invalid *chatas* does not require washing, whether it had a time when it was valid and then became disqualified, or whether it did not have a time of validity before becoming disqualified. What are examples of cases where it had a time when it was valid and then became disqualified? It is a case where it was left past its time, became impure, or was taken out of the Courtyard. What are examples of cases where it did not have a time of validity before becoming disqualified? It is a case where the sacrifice was slaughtered with intent to eat or offer it outside the allotted time or place, or that disqualified people

received its blood and threw its blood. Now is the last instance to be understood? [*Is it one case that these disqualified people received **and** threw the blood, or is that they received the blood **or** they threw the blood (but not both)?*] Shall I say that these disqualified people received and threw the blood (*and that it means like our Mishna that the disqualified people either accepted the blood or threw the blood*)? This would imply that only in this case is where there is no requirement for the garment to be washed; if, however, it was received and sprinkled by qualified people, the garment would need to be washed!? This could not be, for the verse states: *And when they will sprinkle from its blood*, but not when the blood has already been sprinkled. You must then say that the text of the *Mishna* there (*when it states: "and threw the blood"*) is not meant to be taken precisely (*and it is only written for it is common to link accepting the blood with throwing the blood, but in truth, the only time the garment needs to be washed is if the blood stained the garment before it was thrown, and the Mishna is teaching us that the halachah only applies when a qualified person accepts the blood*); and likewise here (*regarding me'ilah*), the text is not to be taken precisely (*and it does not mean that they threw the blood as well; accordingly, the Mishna could correspond with the opinion that states "permitted for throwing its blood"*).

Rav Assi answered: If so, why has this imprecise phrasing been used twice?

The *Gemora* therefore asserts that the phrase used in connection with the law of *me'ilah* is to be taken precisely (*that the disqualified people both accepted and threw the blood*), and the novelty of this (*the twofold disqualification*) is to teach us that a disqualified person (*who performed the throwing of the blood onto the Altar*) render (*the blood in the neck*) remnants (*that once the disqualified person has sprinkled the blood, the blood that still remains in the neck is regarded as the remnants of the blood, and cannot be used for sprinkling, and therefore the sacrifice is invalid*), so that although after the disqualified person received and sprinkled

the blood and a qualified person received and sprinkled it again, the action of the latter person is of no consequence. Why is this? It is because the lifeblood (*remaining in the neck*) is considered remnants (*which is not valid for any further service*).

The *Gemora* asks: But didn't Rish Lakish put this inquiry before Rabbi Yochanan: Does a disqualified person (*who performed the sprinkling of the blood onto the Altar*) render (*the blood in the neck*) remnants? [*If he sprinkles the blood, can a qualified person make the sacrifice valid by receiving more blood from the animal's neck and sprinkling it? Or do we say that once the unqualified person has sprinkled the blood, the blood that still remains in the neck is regarded as the remnants of the blood, which cannot be used for sprinkling, and therefore the sacrifice is invalid?*] And Rabbi Yochanan replied: There is no case of sprinkling that renders the blood (*in the animal's neck*) remnants except in a case where it was done with the improper intention of beyond its time or outside of its place, since it effects (*the invalidation of the korban*) with respect of *piggul*. Now, does this not exclude the case of a disqualified person (*where he performed the throwing of the blood*)?

The *Gemora* answers: No, even the throwing of the blood by a disqualified person is included.

The *Gemora* asks: But didn't Rabbi Yochanan say: There is no case ... except...?

The *Gemora* explains the meaning of Rabbi Yochanan. (4b – 5b)

Daf Digest cites the Remah, zt"l, who gives a very inspiring explanation of a concept on today's daf. "It is very interesting, that, specifically the blood of *chatas* which spilled on a garment requires laundering in the Azarah, unlike the blood of other *kodoshei kodoshim*. We may wonder why specifically the blood of *korban chatas*?

"The key to understanding this is the dictum of our sages that 'even *tzaddikim gemurim* cannot stand in the place of *ba'alei teshuvah*.' The blood of a *korban chatas* atones for sins, so Hashem instilled within it a special *kedushah*. This symbolizes that the blood and the *nefesh* of a *ba'al teshuvah* is holier than that of *tzaddikim gemurim*. "But this is only applicable to blood of a *chatas* which spilled before it was put on the *mizbeach* since the status of *ba'al teshuvah* is only applicable to one who is actively doing *teshuvah*. The moment his sin has been atoned for and he stops being involved in *teshuvah* he may be a *tzaddik gamur* but he is no longer a *ba'al teshuvah*."

Someone once asked Rav Pinchas of Koritz, zt"l, "What value can *teshuvah* have when the *ba'al teshuvah* falls right back into his old behavior?" Rav Pinchas replied with a parable. "This can be compared to a king whose son was taken captive. The king pines after his son and every effort is made to find a way to free him, but this is not yet possible. Yet a short meeting—of a day or even an hour—can be arranged between the king and his son, doesn't this alone have great value?

"Limited *teshuvah* is like a short furlough from prison. Even when one cannot yet do a complete *teshuvah*, even a short time spent trying to do *teshuvah* is also very precious to Hashem."

DAILY MASHAL

Limited Repentance