

5 Iyar 5778
April 20, 2018



Zevachim Daf 7

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

Stipulation by Communal Offerings

Rav Yosef the son of Shmuel asked Rav Pappa: Does Rabbi Shimon accept that *Beis Din* makes a stipulation (*regarding communal sacrifices – that their sanctity is conditional*)? But surely Rav Iddi bar Avin said in the name of Rav Amram in the name of Rabbi Yochanan: The daily offerings (*those purchased with the half-shekel contributions from this year*) which were not necessary for the community (*for extra lambs were bought just in case the others had a blemish*) cannot be redeemed when they are unblemished according to Rabbi Shimon. According to the *Chachamim*, however, they can be redeemed. And furthermore, Rabbi Yirmiyah inquired of Rabbi Zeira: If the blood of the *Shavuos* he-goats was received in two basins, and the blood of one was sprinkled, what is the purpose of the second? Rabbi Zeira replied: It is brought to atone for the *tumah* that occurred between the sprinkling of the blood of the first one and the sprinkling of the other. It emerges that Rabbi Yirmiyah was only in doubt with respect of providing atonement for the violation of a positive command occurring after the slaughtering, but he was not asking with respect of the violation of a positive command occurring after the designation of the animal (*for that was obvious to him that it could effect atonement*)!

The *Gemora* responds to the second question: Perhaps his question was based on an “if you conclude and say (*that atonement may be provided for a violation of a positive command occurring after the designation of the animal, may it also effect atonement for a violation of a positive command*)”

occurring after the slaughtering of the animal)” manner. (6b – 7a)

Todah and Shelamim

It was stated: If one slaughtered a *korban todah* for the sake of his fellow’s *todah* (*where two people were both obligated in a todah; he did not slaughter it with an intention that it should atone for the other fellow, for that would be disqualified because of a “change of owner” intent*): Rabbah ruled: It is valid, and Rav Chisda said that it is invalid. Rabbah ruled that it is valid because a *todah* has been slaughtered as a *todah*. Rav Chisda said that it is invalid because it must be slaughtered for the sake of his *shelamim*.

Rabbah said: How do I know this? Because it was taught in a *braisa*: *And the flesh of the zevach todah that is his shelamim*. Abba Chanin said in the name of Rabbi Eliezer: If a *todah* offering is slaughtered for the sake of a *shelamim*, it is valid; however, if a *shelamim* is slaughtered for the sake of a *todah*, it is invalid. Why is there a *halachic* difference between these two cases? A *todah* is referred to as a *shelamim*, but a *shelamim* is not referred to as a *todah*. It may be inferred from here that only a *shelamim* slaughtered for the sake of a *todah* is invalid, however, a *todah* slaughtered for the sake of a different *todah* would be valid. That would mean - even for the sake of his fellow’s *todah*.

The *Gemora* rejects his proof: Perhaps the inference would be only to a case where he slaughtered it for the sake of a different *todah* of his (*and the novelty would be with respect of a case where he was offering one todah for being freed from prison, and one for having made a sea-journey in safety;*



he then slaughtered the one for the sake of the other; it is valid because they are both of the same category).

The *Gemora* asks: But if it would be slaughtered for the sake of his fellow's *todah*, it would be invalid; then instead of teaching, "if a *shelamim* is slaughtered for the sake of a *todah*, it is invalid," let him teach, "if a *todah* is slaughtered for the sake of a *todah* (of his fellow), it is invalid," and how much more so if a *shelamim* was slaughtered for the sake of a *todah*?

The *Gemora* answers: He wanted to teach us the *halachah* regarding the case of a *shelamim* that was slaughtered for the sake of his own *todah*. One might argue that since a *todah* is referred to as a *shelamim*, perhaps a *shelamim* is also referred to as a *todah*, and when he slaughters a *shelamim* for the sake of the *todah*, it should be valid. Therefore he informs us that this is not so. (7a)

Wrong Intention

Rava said: If one slaughtered a *chatas* for the intent of a different *chatas* (i.e. *transgression*), it is valid, but if one slaughtered it for the intent of a different type of sacrifice (e.g., *olah*), it is invalid. The reason for this is the following: The verse states "and he will slaughter it for a *chatas*", requiring the intent to be for a *chatas*. Therefore, as long as the intent was for a *chatas*, even the wrong one, the verse has been fulfilled.

Rava also says that if one intended a *chatas* for someone else who was obligated in a *chatas*, it is invalid, but if he intended for someone else who was obligated in an *olah* it is valid. The reason for this is the following: The verse states "and he will atone for him [the owner]", implying that he must have the owner in mind, and not someone else. The person the verse excludes must be similar to the owner, i.e., obligated in a *chatas*. Anyone not similar to the owner is not excluded, and does not invalidate the *chatas*.

Rava also says that if one slaughters a *chatas* on behalf of a person who is not liable to bring anything at all, it is invalid, because there is not a single person in Israel who is not liable in respect of a positive commandment; and Rava said: A *chatas* provides atonement for those who have violated a positive commandment. This can be proven with a *kal vachomer*: If a *chatas* provides atonement for those who are liable to *kares*, how much more so - for those who are liable for violating a positive commandment!

The *Gemora* asks: Do you mean to say that they (*chatas* and an *olah*) belong to the same category? But surely Rava said: If one slaughtered a *chatas* for the intent of a different *chatas* (i.e. *transgression*), it is valid, but if one slaughtered it for the intent of a different type of sacrifice (e.g., *olah*), it is invalid. [Evidently, the atonement for someone who violated a positive commandment is regarded as a different category than one who is liable to bring a *chatas*!?!]

The *Gemora* answers: the *chatas* does not provide a regular atonement for someone who violated a positive commandment, but it does provide a peripheral atonement.

Rava said: An *olah* which was slaughtered not for its own sake – it is nevertheless forbidden to sprinkle its blood not for its own sake. This ruling may be derived from the following verse: *That which emerges from your lips you shall observe and do; according to what you vowed to Hashem your God, a donation etc.:* Now, is this a *nedavah* (donation)? Is the verse not referring to a *neder* (vow)? The meaning of the verse is as follows: If you have acted as you vowed (*by slaughtering it for its own sake*), it will be (*the fulfillment*) of your *neder*, but if not (*that it was slaughtered not for its own sake*), let it be regarded as a *nedavah*. But even if it is a *nedavah*, is it permitted to make a change in it? [No, it is not!] It, alternatively, may be derived from the following logic: Just because an alteration was made once, should there be continuous alterations with it?!

And Rava also said: If an *olah* is brought (*by a heir*) after the

death of its owner, and is slaughtered with a “change of holiness,” it is invalid. If it is slaughtered with a “change of owner,” it is valid, for there is no ownership after death. Rav Pinchas the son of Rav Ammi maintained that there is ownership after death.

Rav Ashi asked Rav Pinchas the son of Rav Ammi: Do you particularly maintain that there is ownership after death, and therefore the heir would be obligated to bring another *olah*; or, perhaps, if the heir has violated many positive commandments, it provides atonement for him (but not that he is an actual owner)?

He answered: I maintain it particularly.

And Rava also said: An *olah* is a gift (to Hashem). [It does not actually atone for sins, but rather, after one has repented this comes as a gift of appeasement.] For what are the circumstances? If there is no repentance, then the sacrifice of the wicked is an abomination! And if there is repentance, surely it was taught in a *braisa*: If one violated a positive commandment and repented, he does not stir from there until he is forgiven. It follows that an *olah* is a gift.

[Mnemonic (for Rava’s previous halachos): *Chatas; for someone; atone; olah; after; a gift.*]

The *Gemora* bring a *braisa* (that supports Rava’s statement that an *olah* is a gift): Rabbi Shimon said: For what purpose does a *chatas* come before an *olah*? It is because it is like an intercessor who enters to appease the king; when the intercessor has appeased him, the gift follows afterwards. (7a – 7b)

Pesach

The *Mishna* had stated: [Any sacrifice which was slaughtered not for their own sake is valid] except for a *pesach* and *chatas*.

The *Gemora* cites the Scriptural sources for this: *Observe the*

month of the springtime, and perform the pesach offering. This indicates that all of its performances must be done for the sake of the *pesach* offering.

The *Gemora* cites the Scriptural source which proves that it is invalid when there is a change in respect of owner: *Then you shall say: It is the zevach pesach.* This teaches us that the slaughtering (*zevach*) must be done for the sake of the *pesach* offering. Now since this is superfluous with respect to change of holiness, for that is derived from the other text, transfer its teaching to the law of change in owners.

It is written: *And you shall slaughter the pesach offering to Hashem, your God.* This teaches us that not only is it a *mitzvah* to slaughter it for its own sake, but if you slaughter it for the wrong purpose, it is invalid.

Rav Safra asked: Isn’t this verse required for Rav Nachman’s ruling? For Rav Nachman said in the name of Rabbah bar Avuha: How do we know that the leftover of a *pesach* offering (if an animal designated for a *pesach* sacrifice was lost, so its owners registered for another animal, and then the first was found after the second was sacrificed) is offered as a *shelamim*? It is because it is written: *And you shall slaughter the pesach offering to Hashem, your God, of the flock and of the cattle.* Now surely the *pesach* offering comes only from lambs or from goats (why is cattle mentioned)? We learn from here that the leftover of the *pesach* offering is to be used for something which comes from the flock and from the cattle (males and females); and what is it? It is a *shelamim*.

Rather, Rav Safra said: *And you shall slaughter the pesach offering* is required for Rav Nachman’s ruling; *Observe the month of the springtime* is required to teach the *mitzvah* with respect of change in holiness; *Then you shall say: It is the zevach pesach* is required to teach the *mitzvah* with respect of change in owners; it teaches us that it is invalid, both by change of holiness and change of owner.

The *Gemora* asks: How do we know these *halachos* (with



respect of change of owner) by the other services (besides slaughtering)?

The *Gemora* answers: Since it was revealed by one, it was also revealed by the others.

Rav Ashi, who doesn't agree with that logic, derives it from the following verse: This is the law of the *olah*, of the *minchah*, etc. (and this verse compares all the *korbanos* to each other), and it was taught in a *braisa*: On the day that He commanded the children of Israel to bring their offerings. This verse refers to the *bechor*, *ma'aser* and *pesach* offerings. Thus the Torah is comparing the *pesach* offering to the *shelamim*: just as there is a *mitzvah* by *shelamim* to perform the services without a change of holiness or owners, so too there is a *mitzvah* by all sacrifices to perform the services without a change of holiness or owners. Again, it is like the *shelamim* in the following respect: Just as you do not differentiate in the *shelamim* between slaughtering and the other services in respect of the *mitzvah*, so must you not differentiate in the case of the *pesach* offering between slaughtering and the other services in respect with preventing it from being valid.

The *Gemora* notes: the verse, "it is" is needed for that which was taught in the following *braisa*: As for the *pesach* offering, "it is" is stated there to teach that a wrongful intention, as far as slaughtering is concerned, will prevent it from being valid; whereas in the case of an *asham*, "it is" is only stated after the verse discussed the limbs of the *asham* having already been burned. We cannot say that the burning of the limbs must be done with proper intent or the sacrifice is invalid, as we know that even if the burning of the limbs is not done at all, the *asham* is valid! (7b)

INSIGHTS TO THE DAF

Who must Bring a Todah?

By: Meoros HaDaf HaYomi

In this article we shall clarify the question as to who must bring a *todah* and we shall discover that a *chasan* must also bring one.

King David opens Chapter 107 of Tehilim with the verse "Thank Hashem for He is good, for His kindness is forever" and then mentions Hashem's wonders and His miracles with His creatures. He also mentions the people listed in Berachos 54b as obligated to bless *hagomel*: those who cross seas or deserts, those recovered from an illness and those freed from prison. Rashi on our *sugya* (s.v. *Lo dideh*) and in other places (Vayikra 7:12, Menachos 79b in the manuscript and in *Shitah Mekubetzes* in his name, *ibid*) explains that this chapter is the source for learning who must bring a *todah*, as verse 22 asserts that they must "offer sacrifices of thanks (*todah*)". (*Tosfos Rid* agrees in Rosh HaShanah 5b).

Commentators point out that the way of offering a *todah* advertised the salvation for which it was brought. Each *todah* was accompanied by 40 loaves and because of the short time – a day and a night – in which the loaves had to be eaten, the owner had to hold large meals which, by the nature of things, publicized his salvation (see Sforno, Abarbanel and *Ha'amek Davar* in *parashas Tzav* on the verses concerning the *todah*).

If we want to clarify who may bring a *todah* and whether someone saved from misfortune must bring one, we discover that the Torah does not obligate anyone to bring one! A *todah* is a voluntary sacrifice, given as an opportunity to thank Hashem by someone saved from misfortune or by someone who feels a need to offer it. This is the common opinion and the impression from Rambam, who places no limits on a person wanting to bring a *todah* (see *Sefer HaMaftaiach* on Rambam, *Hilchos Ma'aseh HaKorbanos*, 9:14). However, from Rashi (Menachos, *ibid*, printed from the manuscript at the side of the page and, apparently, the true text), *Tosfos Rid*

(ibid) and the *Rosh* (Berachos, ibid), it appears that someone who was saved must bring a *todah* (and see *Shitah Mekubetzes*, ibid, os 10, who wonders about the matter).

Peri Megadim (219 in *Eishel Avraham*, S.K. 1) explains that even according to Rashi and the *Rosh*, a *todah* is a voluntary sacrifice but that, in their opinion, King David revealed by *ruach hakodesh* that anyone saved from misfortune must bring one (and see Responsa *Chasam Sofer*, O.C. 51; Rashash, Menachos 80a, and *Har Tzevi*, Menachos 79b; members of our *beis midrash* remarked that according to Rashi on our *sugya*, s.v. *Lo dideh*, it appears that *mid'oraissa* there is a difference as to the nature of the salvation for which the sacrifice is offered).

A chasan brings a todah: Rabeinu Bechayei (in the beginning of *parashas Tzav*) adds a *chasan* to the list of people who must bring a *todah*, based on an explicit verse: "A voice of jubilation and a voice of joy, a voice of a *chasan* and a voice of a bride...bringing a *todah* to the house of Hashem" (Yirmiyah 31:11).

Rejoice in tribulation and give thanks in salvation: We conclude with the words of the Kesav Sofer (on the Torah, Vayikra 19:5), who explains the verse "slaughter it willingly": A person who brings a *todah* should not complain about his past tribulation, saying "I'd rather not have suffered and not needed the miracle." Slaughter it willingly, i.e. rejoice and accept suffering willingly and thank Hashem for His salvation.

The difference between an uncircumcised person, who can't bring a pesach, and a person who didn't sin, who can't bring a chatas

Our *Gemora* teaches us that a thought of a different owner causes a defect to a sacrifice. In other words, a *kohen* who performs the *'avodos* of a sacrifice for someone who is not its owner, disqualifies it. However, if he performed the *'avodos* in the name of someone who cannot bring that sacrifice, such as if he thought of offering it for a gentile, the

sacrifice is not disqualified.

A person who unwittingly transgresses a prohibition whose punishment is *kareis* if committed willingly must bring a *chatas*. Our *Gemora* explains that if a *kohen* performs the *avodos* of a *chatas* sacrifice for Shimon while it actually belongs to Reuven, he disqualifies it - even if Shimon did not commit that sin and was not obligated to bring that sacrifice and appears, apparently, to be like that gentile who cannot bring the sacrifice. Nonetheless, since the atonement of the *chatas* includes atonement for other, slighter sins, such as ignoring a positive mitzvah, then though Shimon is not allowed to bring a *chatas* sacrifice, he is not completely dissociated from its atonement as "there is no one who is not guilty of failing a positive commandment". Therefore, the *kohen* who performed the *'avodos* of the *chatas* sacrifice for Shimon instead of Reuven disqualified it.

HaGaon Rav David Rapaport zt"l questions our *Gemora*, presenting another explicit *Gemora* that apparently contradicts our *sugya* and in which it appears that if Shimon does not have to bring a *chatas*, he has nothing to do with that sacrifice, though he is fit to be atoned by it. About the *pesach*, the *Gemora* in Pesachim 61a says that if a *kohen* sacrificed Reuven's *pesach* in the name of Zevulun, the uncircumcised, he did not disqualify it as Zevulun cannot offer it.

Apparently, Zevulun needs to bring a *pesach* but his being uncircumcised prevents him. Why is his association with the *pesach* considered less than Shimon's association with the *chatas*? We see from *korban pesach* that only an actual ability to bring the offering can form an association therewith and we must therefore understand why a person who is not obligated to bring a *chatas* is considered as associated with its atonement.

HaGaon Rav Yaakov Yisrael Kanievski zt"l (*Kehilos Ya'akov*, 7) explains that there is no need for an actual possibility to bring the sacrifice for a person to be considered associated with it

but it suffices if we can associate him with its atonement. Still, there is an essential difference between the person who didn't sin and the uncircumcised person. The reason why the uncircumcised person is prevented from offering a *pesach* involves his body and therefore he is dissociated from the sacrifice. On the other hand, Shimon, who didn't sin, cannot bring a *chatas* as he has no obligation to do so, but he has no "defect" that dissociates him from the sacrifice and since he must atone for his slighter sins, he is associated with the atonement of the *chatas*.

What does an olah atone for?

We have learnt several times that an *'olah* atones for ignoring a positive *mitzvah* (such as a person who didn't observe the *mitzvah* to take up a *lulav*, and the like) and other transgressions (*lav hanitak la'aseh*) but the *Gemora* does not explain if it means failing a positive *mitzvah* intentionally or unwittingly. Ramban (Vayikra 1:4) writes that only someone who ignores a positive *mitzvah* intentionally needs atonement. Therefore, a person who unwittingly failed to fulfill a positive *mitzvah* does not have to bring an *'olah*.

In his *Zevach Todah*, the Chafetz Chayim zt"l explains our *sugya*, indicating a serious question on Ramban. A person who unwittingly transgresses a prohibition whose punishment is *kareis* if committed willingly must bring a *chatas*. Our *Gemora* explains that a *chatas* also atones for ignoring positive *mitzvos* – i.e., it also serves as an *'olah*. The *Gemora* learns this from a *kal vachomer*: if a *chatas* atones for sins whose punishment is *kareis*, it surely atones for failing a positive *mitzvah*. However, the *kal vachomer* loses its potency if we adhere to Ramban's opinion: a *chatas* atones for **unintentional** sins, so how can it atone for an **intentional** sin of ignoring a positive *mitzvah*? It is obvious, then, that our *Gemora* concerns a person who unintentionally ignored a positive *mitzvah* who needs atonement, as opposed to Ramban's opinion (see *Sefas Emes* on our *sugya*, who tries to reconcile Ramban's opinion).

The language of our *Gemora* is also hard to reconcile with Ramban as the *Gemora* says that everyone always needs to bring a sacrifice since "there is no one who is not guilty of failing a positive *mitzvah*". We understand that there is no one who has not unwittingly missed a positive *mitzvah* but could it be that there is no one who has not intentionally ignored a positive *mitzvah*? And according to Ramban, atonement is only required for ignoring a positive *mitzvah* intentionally.

The Chafetz Chayim does not answer these questions – another reason to hope for the appearance of Eliyahu (see *Liseshuvas HaShanah* by HaGaon Rav Y. Rapaport, p. 28).

DAILY MASHAL

The One Who Sacrifices a Chatas Should Eat It

Regarding eating *kodoshim*, we find a change of language in the Torah. About the *minchah* we are told "and Aharon and his sons will eat what is left of it," (Vayikra 6:9) whereas about the *chatas* the Torah says "the *kohen* who atones with it will eat it" (ibid, 19). Rabbi Meir Simchah HaKohen of Dvinsk zt"l, author of *Or Sameiach*, explains the difference according to the *Remo*, who rules (Y.D. 246:21) that a *talmid chacham* who allowed another to eat certain meat which was brought to him as a question may eat it to strengthen his ruling. Since a *chatas* slaughtered not for its own sake is disqualified, it is fitting that the *kohen* who sacrifices it should eat it to prove to everyone that he had no foreign thoughts.