



Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

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Asham and Chatas

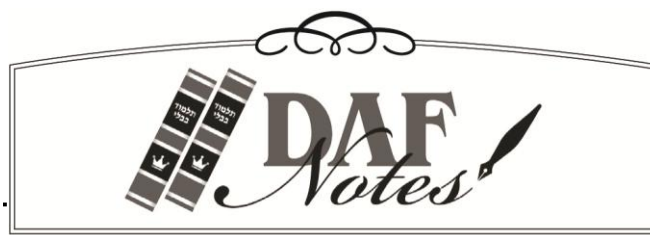
Rava explains that the Sages say that an *asham* cannot be invalidated, since even the more severe *olah* is not invalidated. Although an *olah* does not atone, and an *asham* does, the *minchas choteh* (brought for transgression) does atone, and is not invalidated by entering the *Heichal*. We cannot prove this from a bird chatas, since it is an unresolved question of Rabbi Avin whether it is invalidated by its blood entering the *Heichal*. Although a *minchas choteh* is not like an *asham*, since it is not slaughtered, an *olah* is. And thus the argument revolves, the nature of the one not being that of the other, while the nature of the latter is not that of the former: the feature common to both is that they are sacrifices of the higher sanctity, and when their blood enters the *Heichal* they are fit; so too will I adduce the *asham* offering which is a sacrifice of the higher sanctity, and if its blood enters the *Heichal* it is fit.

Rava of Barneish said to Rav Ashi: Yet let him refute [it thus]: The feature common to both is that they have no fixed [value]; will you say [the same of] the *asham* offering, which has a fixed [value]? Rather this is the Rabbis' reason, viz., because Scripture said: [And no chatas offering where any of] its blood [is brought into the tent of meeting . . . shall be eaten; it shall be burnt with fire]: [this intimates] the blood of this [sacrifice], but not the blood of another [sacrifice]. - And the other? — 'Its blood' [implies,] but not its meat. - And the other?

— [Scripture writes,] 'its blood' [where] 'blood' [would suffice]. - And the other? — He does not interpret 'blood', 'its blood' [as having a particular significance]. (10b4 – 11a2)

The *Gemara* asks: It is well according to the Rabbis who maintain that if one slaughters an *asham* not for its own sake, it is valid - for that reason a *minchah* offering is compared to a *chatas* and to an *asham*, for it was taught in a *Baraisa*: Rabbi Shimon said: *It is most holy, like a chatas and like an ashm*. A sinner's *minchah* offering is like a *chatas*, therefore if its *kemitzah* was performed not for its own sake, it is invalid; a donated *minchah* offering is like an *asham*, therefore if its *kemitzah* was performed not for its own sake, it is valid. But according to Rabbi Eliezer (who holds that an *asham*, which was slaughtered not for its own sake, is invalid), with respect of which law is a *minchah* offering compared to a *chatas* and an *asham*?

The *Gemara* answers: It is in respect of the other teaching of Rabbi Shimon, for it was taught in a *Mishnah*: If the *kemitzah* was not placed in a service vessel, it is invalid, but Rabbi Shimon holds that it is valid. Now Rav Yehudah the son of Rabbi Chiya said: What is Rabbi Shimon's reason? It is written: *It is most holy, like a chatas and like an ashm*. This teaches us that if the *Kohen* comes to perform its service (to burn it without placing it in a service vessel first) with his



hand, he must do so with his right hand, as a *chatas*; but if he comes to perform the service with a vessel, he may do so with his left hand, as an *asham*.

The *Gemara* asks: How can Rabbi Shimon utilize this verse for both purposes?

The *Gemara* answers: The essential purpose of the verse is to teach the *halachah* of Rav Yehudah the son of Rabbi Chiya, while that a sinner's *minchah* offering is invalid when the *Kohen* does not perform the *kemitzah* for its own sake is based upon a different reason; for what is the reason of a *chatas*? It is because "*hee*" -- "*it is*" is written in connection of it; then in connection with a sinner's *minchah* offering too "*hee*" -- "*it is*" is written.

The *Gemara* asks: Now according to the Rabbis, in respect of which law is an *asham* compared to a *chatas*?

The *Gemara* answers: It is to teach us that just as a *chatas* requires *semichah* (*the resting of the hands on the animal's head*), so does an *asham* require *semichah*. (11a2 – 11a3)

Pesach and Chatas

The *Mishnah* had stated: Yosef ben Choni says: Those sacrifices which are slaughtered for the sake of a *pesach* or for the sake of a *chatas*, are invalid.

Rabbi Yochanan said: Yosef ben Choni and Rabbi Eliezer said the same thing. Rabbah said: (*While it's true that they agree with respect of those sacrifices which are slaughtered for the sake of a pesach that they are invalid*) They disagree in respect of other sacrifices which are slaughtered for the sake of a *chatas*, for it was taught in a *Baraisa*: A *pesach* offering whose year has

passed (*and is therefore considered a shelamim*) and it was slaughtered in its set time (*the fourteenth of Nissan*) for its own sake (*for a pesach*), and similarly, if one slaughters other sacrifices for the sake of a *pesach* offering in its set time, Rabbi Eliezer disqualifies them, while Rabbi Yehoshua says that they are valid. Rabbi Yehoshua explained his reasoning (*with a kal vachomer*): If during the rest of the year, when it is not valid if it was slaughtered for its own sake, yet other sacrifices slaughtered for its sake are valid; then is it not logical that in its specified time, when it is valid if it was slaughtered for its own sake, other sacrifices slaughtered for its sake should certainly be valid? Rabbi Eliezer replied to him: Yet perhaps the logic can be reversed!? If a *pesach* offering, during the rest of the year, it is invalid when it was slaughtered for its own sake, yet it is valid if it was slaughtered for the sake of another sacrifice; so during its specified time that it is valid if it was slaughtered for its own sake, is it not logical that it should be valid when it was slaughtered for the sake of another sacrifice!? It would emerge that a *pesach* offering slaughtered on the fourteenth of *Nissan* for the sake of a different sacrifice, should be valid. And we know that this is not so! But in point of fact your *kal vachomer* logic can be refuted as follows: As for other sacrifices being valid during the rest of the year when they are slaughtered for the sake of a *pesach* offering, that is because the *pesach* offering itself (*during the rest of the year*) is valid when slaughtered for the sake of other sacrifices; should then other sacrifices, slaughtered in its set time, for the sake of the *pesach* offering be valid, seeing that it (*the pesach offering*) is invalid if slaughtered then for the sake of others? [From this Rabbi Yochanan deduces that Rabbi Eliezer maintains that any sacrifice slaughtered for the sake of a *chatas* will be invalid, in the same manner that

a chatas slaughtered for the sake of another sacrifice will be invalid.]

Rabbi Yehoshua responded to him: If so, you have lessened the strength of the *pesach* offering (*for during the rest of year, it is valid when slaughtered for the sake of a shelamim*) and increased the strength of the *shelamim* (*for on the fourteenth, it is invalid when slaughtered for the sake of a pesach*)!? [And we know that the laws of the *pesach* offering are stricter than the laws of the *shelamim*!?!]

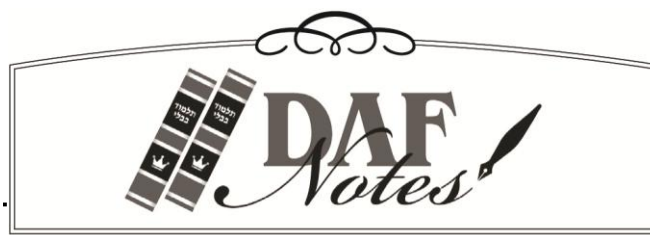
Subsequently Rabbi Eliezer retracted and proposed a different argument: We find that a residual *pesach* comes as a *shelamim*, whereas a residual *shelamim* does not come as a *pesach* offering. Now if the *pesach* offering, whose residual comes as a *shelamim*, is invalid if one slaughters it in its set time as a *shelamim*; then a *shelamim*, whose residual does not come for a *pesach* offering, is it not logical that if it was slaughtered in its set time for the sake of a *pesach* that it should be invalid?! Rabbi Yehoshua replied to him: We find that a residual *chatas* comes as an *olah* (*the money from its sale is used for a communal olah when the Altar is idle*), but a residual *olah* does not come as a *chatas*. Now if a *chatas*, whose residual comes as an *olah*, and it is invalid when it is slaughtered for the sake of an *olah*; then regarding an *olah*, whose residual does not come as a *chatas*, is it not logical that an *olah* which is slaughtered as a *chatas* should be invalid!? [Now, by the fact that Rabbi Eliezer did not disagree with this premise, Rabbah proves that Rabbi Eliezer maintains that a *korban* which is slaughtered for the sake of a *chatas* is valid even though it would be invalid if it was slaughtered for the sake of a *pesach*!] Rabbi Eliezer replied to him: This is not so! The reason that an *olah* is valid when it is

slaughtered for the sake of a *chatas* is because it (a *chatas*) is valid when slaughtered for its own sake throughout the year. Will you say the same of a *pesach* offering which is only valid when it is slaughtered for its own sake when it is offered during its specified time? Since then it itself is invalid when slaughtered for its own sake (*during the rest of the year*), it is logical that others slaughtered for its sake should be invalid as well. (11a3 – 11b1)

Shimon the Brother of Azaryah

The *Mishnah* had stated: Shimon the brother of Azaryah says: If he slaughtered them for the sake of a sacrifice with a higher degree of sanctity than their own, they are valid; if it was for the sake of a sacrifice with a lower degree of sanctity than their own, they are invalid. Rav Ashi said the following in Rabbi Yochanan's name, and Rav Acha the son of Rava said it over in Rabbi Yannai's name: What is the reason of Shimon the brother of Azaryah? It is because it is written: *And they shall not profane the hallowed things of the Children of Israel, that which they shall separate (raising higher) to Hashem*. This teaches us that they are not profaned if they were slaughtered for the sake of a sacrifice with a higher degree of sanctity than their own, but they are profaned if they were slaughtered for the sake of a sacrifice with a lower degree of sanctity than their own.

The *Gemara* asks: But this verse is required for that which Shmuel taught, for Shmuel said: From where do we know that one is liable to death for eating *tevel* (*untithed grain*)? The verse says: *And they shall not profane the hallowed things of the Children of Israel, that which they shall separate to Hashem*. This verse is referring to things that will be separated.



The *Gemara* answers: If so (*if the verse was teaching only the ruling of our Mishnah*), it should have written: *which they separated (in the past tense)*; why state: *which they shall separate*. We can therefore infer both laws from this. (11b1 – 11b2)

Rabbi Zeira inquired: When Shimon the brother of Azaryah said that the sacrifice is valid, did he mean that they are valid yet do not effect acceptance for the owner, and accordingly, he would be disagreeing with the *Tanna Kamma* regarding one ruling only, or did he mean that they are valid and effect acceptance for the owner, and he is disagrees with respect of two points?

Abaye, or according to some, Rabbi Zeirika attempts to resolve this from that which he stated in the *Mishnah*: *A bechor (first male offspring of a cow, sheep or goat) or ma'aser (a person, every year, must tithe all newborn offspring from his animals; every tenth animal is offered as a korban) which was slaughtered for the sake of a shelamim is valid, but a shelamim which was slaughtered for the sake of a bechor or ma'aser, is invalid*. Now if you think that he means that they are valid and effect acceptance for the owner, is acceptance applicable to a *bechor*? Evidently, they are valid and do not effect acceptance, and since his latter statement means that they are valid and do not effect acceptance, in the first statement too they are valid and do not effect acceptance.

The *Gemara* disagrees with the proof: Perhaps each statement is as it is.

The *Gemara* asks: But, then, what is the novelty of this teaching? The *Gemara* answers: You might have said that only regarding *kodshei kodashim* and *kodashim*

kalim is there a difference between sacrifices with a higher and lower degree of sanctity, but not where both of them are *kodashim kalim*. This statement informs us that this is not so.

But we learned this too: The *shelamim* takes precedence over the *bechor*, because the former requires four [blood-] sprinklings, *semichah* (laying on of hands), libations, and the waving of the breast and the shoulder? — The present passage is the main source, while in the other it is taught incidentally. (11b2 – 11b3)

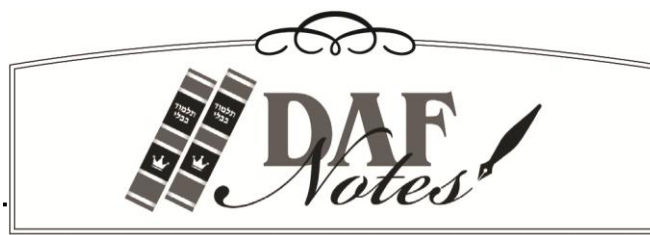
Mishnah

If a *pesach* offering was slaughtered on the morning of the fourteenth not for its own sake, Rabbi Yehoshua says that it is valid, as if it would have been slaughtered on the thirteenth. Ben Beseirah says that it is invalid, as if it had been slaughtered in the afternoon (*of the fourteenth; the correct time for the pesach to be offered*).

Shimon ben Azzai said: I have a tradition from the seventy-two elders (*of Sanhedrin*), on the day when they installed Rabbi Elozar ben Azaryah as the *Nasi*, that any sacrifice that may be eaten, which was slaughtered not for its own sake is valid, but it does not count for the owners towards the fulfillment of their obligation, except for the *pesach* offering and the *chatas*. Ben Azzai added the *olah* only; however, the Sages did not agree with him. (11b3 – 11b4)

Pesach Offering - the Entire Day

Rabbi Elazar said in the name of Rabbi Oshaya: Ben Beseirah ruled that a *pesach* offering which was slaughtered for its own sake on the morning of the



fourteenth is valid, because he maintains that the entire day is regarded as the *pesach's* proper time.

The *Gemara* asks: If so, instead of disputing where (*on the morning of the fourteenth*) it was slaughtered not for its own sake, let them (*Rabbi Yehoshua and Ben Beseirah*) dispute a case where (*at that time*) it is slaughtered for its own sake!?

The *Gemara* answers: If they would have disagreed in the case where it was slaughtered for its own sake, I might have thought that Rabbi Yehoshua agrees with Ben Beseirah (*that the korban is invalid*) when it was slaughtered not for its own sake, since part of that day is suitable (*for the pesach to be offered*). The *Mishnah* therefore informs us that this is not so.

The *Gemara* asks: But surely it is written: *bein ha'arbayim* (*which means that it must be slaughtered in the afternoon*)?

Ulla the son of Rabbi Ila'i answers: it means between two darknesses (*and therefore the entire day of the fourteenth is fit for the slaughtering of the pesach offering*). (11b4)

[The *Gemara* explains why the second *tamid*, the lighting of the *Menorah* and the offering of the second *ketores* is not valid the entire day, even though *bein ha'arbayim* is written by them.]

Then [will you say] that the whole day is fit for the daily offering too, seeing that *bein ha'arbayim* is written in connection with it? — There, since it is written, 'The one lamb you shall offer in the morning', it follows that '*bein ha'arbayim*' is meant literally. Yet say: One [must be

offered] in the morning, while the other [may be offered] the whole day? - [Scripture prescribes] one for the morning and not two for the morning.

Again, will you say that the whole day is fit for [the lighting of] the *Menorah*, since '*bein ha'arbayim*' is written in connection with it? — There it is different, because it is written: [to burn] from evening to morning, and it was taught: 'From evening to morning': Furnish it with its [requisite] measure, so that it may burn from evening to morning. Another interpretation: You have no other [service] valid from evening to morning save this alone.

Now [will you say] in the case of incense too, where '*bein ha'arbayim*' is written, that the whole day is fit [for its burning? - Incense is different, because it is likened to the *Menorah*. But there too it is written: There you shall sacrifice the *pesach-offering* at evening? — That comes to teach deferment. For it was taught: Let that in connection with which *ba-erev* and *bein ha'arbayim* are said be deferred after that in connection with which *bein ha'arbayim* alone is said. (11b5 – 12a1)

DAILY MASHAL

The *Tosfos Ri*"d suggests that the 72 elders mentioned by Shimon ben Azzai includes the 71 members of the Sanhedrin in Yavneh, as well as the *mufлах shel beis din* – the elder who participated in the discussion without being a formal member of the group. Some suggest that the additional individual was Rabban Gamliel, who, according to the *Gemara* in *Brachos*, did not take umbrage at the coup and participated fully in those discussions.