

Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

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Tzvi Gershon ben Yoel (Harvey Felsen) o'h

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Misplaced Blood

The Gemora asks on Shmuel from the following *braisa*: If the *Kohen* (*during the slaughtering, receiving or carrying of the blood*) intended to apply the blood which should be applied above the *chut hasikra* (*a red line on the Altar at the point where it was five amos high; this was the dividing line between the two halves of the Altar*) below it, or what should be applied below, above – immediately (*if his intention was to perform this on that day*) it is valid (*for only an improper though for beyond its time or outside of its place, or not for its sake by a pesach and chatas invalidate a korban*). If he subsequently (*by a different avodah*) intended to eat from the meat outside of its place, it is disqualified, but there is no *kares* (*if eaten*). If he intended to eat from its meat beyond its time, it is *piggul*, and there is *kares* (*if eaten; for there is no other disqualification besides the piggul*). If, however, his initial intention was to apply the blood in the wrong place on the morrow, it is invalid. If he subsequently (*by a different avodah*) had another intention – whether it was to eat from its meat beyond its time, or whether it was to eat from the meat outside of its place, it is disqualified, but there is no *kares* (*if eaten; for there is another disqualification besides the piggul*). Now, according to Shmuel, who maintains that blood applied in the wrong place is as if it was applied in the right place, this case should not be a mere disqualification; it should be *piggul* (*for his initial intention was to apply the blood in the wrong place on the morrow, and the wrong place is regarded as the right place*)!?

Mar Zutra answers: Only a sprinkling of the blood which will permit the meat for consumption can bring the *korban* to a *piggul* status; but a sprinkling of the blood which will not

permit the meat for consumption (*even if it may provide atonement*) cannot bring the *korban* to a *piggul* status.

Rav Ashi asked Mar Zutra: How is this principle known? It is because it is written: *And if any of the meat of his shelamim offering will be consumed on the third day . . . it shall be piggul*. This teaches us that *kares* is incurred only where *piggul* causes the meat to become forbidden, which excludes this case (*where it was applied to the wrong place on the Altar*), where *piggul* is not what causes it to become forbidden, but rather, a different prohibition is the cause. But if so (*that the verse excludes such a case*), it should not be disqualified either!?

Rav Nachman bar Yitzchak said: It is compared to the case where one has intention of leaving the blood until the next day, in accordance with Rabbi Yehudah (*who maintains that the korban is invalid even though there was no intent to perform the sprinkling on the next day*). [*In our case, it would make no difference where he intends to perform the sprinkling; it is invalid for he intends to delay the sprinkling until the next day.*]

Rish Lakish said: In truth, the *Mishna* means that the sacrifice is invalid, and it is also true that blood not applied in its proper place is regarded as if it was applied in its proper place (*with respect to atonement, as derived from Shmuel's verse*); yet there is no difficulty (*as to why the Mishna disqualifies it completely*), for in one case (*which the verse is referring to*), he applied it in silence (*without any improper thoughts*), and in the *Mishna's* case, he applied it with an improper intention (*thinking that he would eat from the meat beyond its time*).

The Gemora challenges Shmuel from the following *Mishna*: If the *Kohen* (*during the slaughtering, receiving or carrying of the blood*) intended to apply the blood which should be applied above the *chut hasikra* below it, or what should be applied below, above etc. (*in the same manner that was asked on Shmuel, and responds the same way*) until (*the last answer of...*) it is compared to the case where one has intention of leaving the blood until the next day, in accordance with Rabbi Yehudah.

Rabbi Yochanan said: Both cases are where he sprinkles the blood in silence, and blood applied in the wrong place is not regarded as if it was applied in its proper place, but our *Mishna* is referring to a case where lifeblood is still available (*and therefore the avodah can be repeated*), while the other *Mishna* is where lifeblood is not available.

The Gemora challenges Rabbi Yochanan from our *Mishna*, which states that the sacrifice is invalid, but there is no punishment of *kares* (*if one eats from the sacrifice*). According to Rish Lakish, it is understandable (*for the Kohen applied the blood with a "beyond its time" intention*), but according to Rabbi Yochanan (*who explained the Mishna to be referring to a case where he performed the service in silence*), what is the novelty that there is no penalty of *kares*? The Gemora notes: This indeed is a difficulty.

The Gemora explains that according to Shmuel, the *Mishna* means that if the *Kohen* applied the blood in the wrong place with a "beyond its time" intention, the sacrifice is invalid, but there is no *kares*. [*This is only a novel law according to Shmuel who maintains that it is regarded as if it was applied in its proper place regarding atonement.*]

The Gemora asks: According to Rabbi Yochanan, who maintains that blood applied in the wrong place is not regarded as if it was applied in its proper place, let it be as though the blood spilled from the service vessel on to the floor, and let him collect it!?

The Gemora answers: He holds according to the view that (*even when it spilled*) it may not be gathered. For Rav Yitzchak bar Yosef said in the name of Rabbi Yochanan: All agree that if the *Kohen* sprinkled the blood above which should be sprinkled above, or below which should be sprinkled below, but not in accordance with the regulations (*for he applied it with his left hand or with an improper intent*) that he may not gather it (*for once it was sprinkled in the right place, it cannot be done again*). They disagree only where he sprinkled below what should be sprinkled above, or above what should be sprinkled below; for Rabbi Yosi maintains that he may not gather it, whereas Rabbi Shimon holds that he may gather it, and our *Mishna* is following the view that he may not gather it.

But Rav Chisda said in the name of Avimi: All agree that if he sprinkled above what should be sprinkled below that he may not gather it, and certainly if he sprinkled below what should be sprinkled above, since the blood above eventually runs down below (*and therefore the lower portion of the Altar is also regarded as the proper place*). They disagree only where he sprinkled outside the *Heichal* what should be sprinkled inside, or inside what should be sprinkled outside. Rabbi Yosi maintains that he may gather it, whereas Rabbi Shimon holds that he may not gather it,

Rav Nachman bar Yitzchak said: We have support for Rabbi Yochanan's *halachah* (*that blood applied in the wrong place – although it is completely invalid, it cannot be gathered and applied again*) from the following *braisa*: Rabbi Yehudah said: [*This is the law of the olah, it is the olah, on the pyre, on the Altar, all night. This verse teaches us that once sacrificial parts ascend the Altar, it must not be taken down – even if the offering was an invalid one.*] "This," "it" and "the olah" are three limitations: They exclude the following cases: an animal that was slaughtered at night; an animal whose blood spilled; an animal whose blood was carried out beyond the curtains. If any one of these ascended the Altar, it descends (*for the Altar does not sanctify them*). Rabbi Shimon said: It is

written: *olah*. I only know that a fit *olah* may remain on the pyre all night. From where do I know to include one which was slaughtered at night, or one whose blood spilled, or one whose blood was carried out beyond the curtains, or one whose sacrificial parts stayed overnight, or one whose sacrificial parts went out beyond the curtains, or one that became *tamei*, or one which was slaughtered with a “beyond its time” or “outside of its place” intent, or one whose blood was received or sprinkled by disqualified people, or one whose blood was applied below when it should have been applied above, or above when it should have been applied below, or outside the *Heichal* when it should have been applied inside, or inside when it should have been applied outside, or a *pesach* offering or a *chatas* which was slaughtered not for their own sake; from where do we know to include all these? It is from the verse: *the law of the olah*, which includes one law for all offerings that go up on the Altar that if they ascended, they do not descend. You might think that I should include in this rule also a *rove'a* (*an animal which has performed an act of bestiality*) and a *nirva* (*an animal on which an act of bestiality has been performed*), one which was set aside for an idolatrous sacrifice or one which was worshipped, a harlot’s payment, or the exchange of a dog, or a mixed breed, or a *terefah*, or an animal born through the caesarean section? The verse however states: *This (and no other cases) is the law*. And why are the former cases included and the latter cases excluded? I include the former, because their disqualification arose in the Holy, while I exclude the latter whose disqualification did not occur in the Holy (*but rather; before they were brought in*).

Now, continues Rav Nachman bar Yitzchak, one of the cases that Rabbi Shimon taught (*that it remains on the pyre*) was where the blood was applied above when it should have been applied below, or below what should have been applied above, and Rabbi Yehudah did not disagree. What is the reason for this? Is it not because the Altar has accepted it, which proves that one cannot gather it!

Rabbi Elozar said: The Inner Altar sanctifies the unfit (*that if they are placed upon it, they do not descend; this is even though the Scriptural text refers only to the Outer Altar*).

The *Gemora* asks: What is the novelty of this teaching? Have we not learned in the *braisa* that offerings which the blood should be applied inside the *Heichal* etc.?

The *Gemora* answers: If it was from there only, I would have said that it applies only to blood (*the Inner Altar sanctifies it*), which is fit for it (*for blood of some offerings are applied to the Inner Altar*), but if one placed the *kometz* (*scoopful of flour*) on the Inner Altar, which is not fit for it at all, I would say that it is not sanctified. He therefore informs us otherwise.

The *Gemora* challenges Rabbi Elozar from a *braisa* and concludes as follows: If an alien incense ascended the Outer Altar, it must descend, for the Outer Altar does not sanctify disqualified offerings except for those that are fit for it, but the Inner Altar sanctifies both what is fit for it and what is not fit for it.

The reason for this is because the Outer Altar is like the floor of the Courtyard (*except that it is elevated*), while the Inner Altar is a service vessel (*consecrated through the anointment oil with the Tabernacle, and therefore it can sanctify even offerings which were not fit for it*). (26b – 27b)

INSIGHTS TO THE DAF

Chanukah and the Altar

The *Gemora* in *Avodah Zarah* (52b) states: In the Northeastern chamber, the Hasmoneans permanently concealed the Altar-stones which the Greeks had defiled; and Rav Sheishes explained: They defiled them through idolatry. [*Although these stones, as property of the Temple, could not be Biblically forbidden, based upon the principle that no one can render prohibited anything that is not his, the Rabbis decreed that it must be permanently concealed.*]

Rav Pappa said: They found a Scriptural verse and expounded it (*to forbid the stones on a Biblical level*), for it is written: *And lawless people entered the Sanctuary and profaned it.*

Rashi explains: The vessels lost their sanctity when the idolaters entered the Sanctuary; they were no longer regarded as the property of the Temple and when the Greeks used them for idolatry, they became forbidden even for secular use.

The Tashbatz maintains that when the Greeks entered the Sanctuary, the Jewish authorities actually renounced their ownership over these utensils; thus allowing the Greeks to assume possession and prohibit these items through their pagan worship.

Sefer Parashas Derachim writes that any sacred vessel which lies in the possession of a Gentile automatically loses its sanctity. Once it is bereft of its sanctity, according to Rashi, its legal ownership fades and the Greeks may take possession.

Rav Moshe Taragin cites a Shitah Mekubetzet in Bava Metzia (24b) where he quotes a *teshuvah* of the Maharam MeRotenburg which applies a similar principle in a more limited scope. Mere possession of an item by an idolater does not suffice to dispossess it of its sanctity. However, any time one of these items is plundered as part of a general despoliation, its sanctity is automatically surrendered. Possession alone does not inhibit sanctity, but the state of being pillaged is antithetical to the prospect of sanctity.

The Ba'al Hamaor presents a novel approach which captures the tragic circumstances prior to the miracle of Chanukah. The “*peritzim*” who entered the Sanctuary and defamed it were not the Greeks but the Hellenist Jews. These Jews were capable of committing *me'ilah*, and it was their act of *me'ilah* which destroyed the sanctity of the vessels. Without the sanctity, the very ownership of *hekesh* faded, allowing the

Greeks to acquire possession and impose the prohibition of idolatry through their idolatrous acts.

The Ramban challenges the Ba'al Hamaor’s position with the following question, based upon a Tosefta which asserts that the Altar can never be redeemed. He infers from there that the Altar has the status of a sacred service vessel, which can never lose its sanctity. Accordingly, *me'ilah* even when perpetrated by Jews, would have no deleterious effect in removing the sanctity of the Altar!

The Ba'al Hamaor can be defended several ways, but our *Gemora* seems to indicate that the Outer Altar was not a sacred service vessel, and therefore – quite possibly, the stones of the Altar, especially when detached and dismantled from the Altar, could have lost their sanctity.

Daily Mashal

How Pigul Comes About

The *Yismach Moshe* zt”l explains that the purpose of sacrifices is that the sinner should consider his evil deeds and realize that if the animal, which has not sinned, suffers for the sinner, though it owes him nothing, so much more so that the sinner should be punished by Hashem, who created him and to whom he owes everything. If the sinner does not ponder such, his sacrifice does not atone for him and the *kohanim* must not eat from that sacrifice, as *Chazal* explain: “*Kohanim eat and the owners are atoned for.*” How should the *kohen* know that the owner has repented? The *Yismach Moshe* asserts that “my heart tells me and it is obvious to me” that if the sinner does not repent, Hashem causes the *kohen* to think that the meat of the sacrifice will be eaten on the third day so that it will be *pigul*. This is what the Torah means: “...and if the meat of his *shelamim* will be eaten on the third day” (Vayikra 7:18) – i.e., a thought of *pigul* was thought at the time of slaughtering to eat the meat not in its proper time. And how does a *kohen* come to such thoughts? The answer is that “he who sacrifices it” – the sinner – “will not be considered” – he didn’t think about repenting and therefore “it will be *pigul*”.