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Mishnah

Any (*olah*) sacrifice which was not able to have its meat put on the altar does not have its hide given to the *Kohanim*. This is as the verse states: *olas ish*. This refers to an *olah* that was valid for a person (*ish*). If an *olah* was slaughtered without proper intent, even though its owner did not fulfill his obligation with this sacrifice, its hide is given to the *Kohanim*. Whether the *olah* is brought by a man or woman, its hide is given to the *Kohanim*. The hides of *kodashim kalim* belong to the owner. The hides of *kodshei kodashim* go to the *Kohanim* based on a *kal vachomer* from *olah*. If the *Kohanim* receive the hide of an *olah* even though they do not receive any of the meat, they certainly receive the hides of other *kodshei kodashim* whose meat is given to them. One cannot ask a question on this *kal vachomer* from the altar (*which does not receive hide despite the fact that it receives meat*), as it never receives the hide. (103a1)

An Olah of Hekdesh

The *Baraisa* states: *Olas ish* excludes an *olah* of *hekdes*. These are the words of Rabbi Yehudah. Rabbi Yosi the son of Rabbi Yehudah states: This excludes an *olah* of converts. (*The Gemara will explain these opinions later.*)

The *Gemara* asks: What does “an *olah* of *hekdes*” mean?

Rabbi Chiya bar Yosef says: This excludes money that was leftover from invalid *kodashim* (*that were sold after they developed a blemish*) used to bring *olah* offerings on the altar.

The *Gemara* asks: This is understandable according to the opinion that these *olah* offerings are considered donated by the public. However, according to the opinion that the money from

the sale of these invalid *kodashim* is used to buy a private *olah* for the owner of the invalid *kodashim*, how can this be called an *olah* of *hekdes*?

The *Gemara* answers: This is as Rava said that the verse, *ha’olah* refers to the fact that the morning *tamid* is the first sacrifice brought every day. So, too, the word *ha’olah* stated regarding the hide of the *olah* refers to *olah* offerings that were dedicated at first to be *olah* offerings, and not other invalid sacrifices that were sold and their money was used to buy *olah* offerings. (*The hide of such olah offerings does not go to the Kohanim.*)

Rabbi Ayvo says in the name of Rabbi Yannai: This excludes the *olah* of someone who says that his *olah* should be *hekdes*.

The *Gemara* explains: This is not true only according to the opinion that *hekdes* indeed acquires this animal according to Torah law (*despite the fact that it was already dedicated to be an olah*). Even according to the opinion that it is acquired by *hekdes* only according to Rabbinic law, this is referring to the meat of the animal (*which must go on the altar*). However, the hide of the animal can be dedicated to *hekdes* according to Torah law.

And so said Rav Nachman in the name of Rabbah bar Avuhah: This excludes money that was leftover from invalid *kodashim* (*that were sold after they developed a blemish*) used to bring *olah* offerings on the altar.

Rav Hamnuna asked Rav Nachman: Who is this like? It seems that it is according to the opinion of Rabbi Yehudah. Didn’t he retract his opinion? This is as the *Baraisa* states: What does it mean that the sixth box was for “donations?” It refers to the *olah* offerings that came from invalid *kodashim*, from which the



Kohanim did not receive the hide. These are the words of Rabbi Yehudah. Rabbi Nechemiah, and some say Rabbi Shimon, says: If so, you nullified the teaching of Yehoyada the *Kohen*!

This as another *Baraisa* states: Yehoyada the *Kohen* taught the following teaching. The verse states: *It is an asham, it is an ashom asham la'hashem.* (However, we know that the *asham* is eaten by *Kohanim*.) This teaches that if a *chatas* or *asham* was proclaimed invalid and sold, and the money was used to buy an *olah*, the meat goes to Hashem but the hide goes to the *Kohanim*.

Rav Nachman said to Rav Hamnuna: What do you understand is the definition of an *olah* of *hekdes*h?

He answered: I say this is an *olah* where someone dedicated his possessions, and is according to a statement of Rabbi Yehoshua. This is as the *Mishnah* states: A person dedicated all of his possessions to *hekdes*h, and among them were male and female animals that were fitting to be used as sacrifices. Rabbi Eliezer says: The males should be sold to be brought as *olah* offerings, and the females should be sold to be offered as *shelamim*, and the money from the sale goes to *hekdes*h along with the rest of his possessions. Rabbi Yehoshua says: The males themselves should be brought as *olah* offerings, and the females should be sold to people who will offer them as *shelamim*. The money from the sale should be used to buy *olah* offerings. The other possessions are *hekdes*h. Even though Rabbi Yehoshua understands that this is the clear intent of the person dedicating his possessions - to split what can be brought as a sacrifice from what cannot, this only refers to the meat (*as it is part of an olah sacrifice that is always put on the altar.*) However, the hide is dedicated to *hekdes*h (*and does not go to the Kohanim*). (103a1 – 103a4)

Rabbi Yosi the son of Rabbi Yehudah stated (*in the aforementioned Baraisa*): This excludes an *olah* of converts.

Rav Simai bar Chilkai said to Ravina: Is a convert not a person?

Ravina answered: This excludes a convert who died without leaving any inheritors. (103a4 – 103a5)

The *Baraisa* states: *Olas ish*. We only know this refers to the *olah* of a man. What is the law regarding the *olah* of converts, women, and slaves? The verse *hide of the olah* includes them as well. If so, why does the verse say *olas ish*? It is teaching that this is only referring to an *olah* that was valid for the person bringing it, as opposed to an *olah* that was slaughtered with intent to eat it outside the allotted time or area. The *Kohanim* do not receive the hide of such an *olah*. One might think that this also excludes the hide of an *olah* that was slaughtered with improper intent, as the owner did not fulfill his obligation (*even though it is considered a valid sacrifice*). This is why the verse states: *The hide of the olah*, teaching that as long as it is considered a valid *olah*, the *Kohanim* receive the hide.

The verse states: *The hide of the olah*. We only see from here that this applies to the hide of an *olah*. How do we know that this applies to the hide of *kodshei kodashim* as well? The verse states: *The hide of the olah that he offered* (*indicating that this includes all sacrifices that are offered*). One might think this also includes *kodashim kalim*. This is why the verse states: *Olah*. Just as this applies to an *olah* which is *kodshei kodashim*, so too this only applies to other *kodshei kodashim* (*but not kodashim kalim*).

Rabbi Yishmael states: *The hide of the olah*. We only know this applies to an *olah*. How do we know this applies to all *kodshei kodashim*? This is a *kal vachomer*. If the *Kohanim* receive the hide of the *olah* despite the fact that they do not receive any meat from it, they should certainly receive the hide of other *kodshei kodashim* from which they do receive meat!

The *Baraisa* asks: One might say that the altar proves this *kal vachomer* wrong, as it receives meat but does not receive the hide (*and therefore this also could be the lot of the Kohanim for other kodshei kodashim*). However, this is an incorrect question. The altar never receives any hide. This is therefore not a question on *Kohanim* who receive the hide of an *olah*. If we already see that they receive the hide of an *olah*, it is



understandable that this *kal vachomer* proves that they receive the hide of all *kodshei kodashim*.

Rebbe says: This entire teaching (*regarding the hide of an olah*) is only needed for the *olah* itself, and not for *kodshei kodashim*. This is because the hide always follows the meat. We see that the burned bulls and goats are burned with their hide. The *chatas*, *asham*, and communal *shelamim* offerings are given to the *Kohen* (*with its hide*). If they want, they can skin it. If they do not want to, they may eat it with the hide. The hide of *kodashim kalim* is given to the owner. If he wants, he can skin it. If he does not want to do so, he can eat it with the hide. However, regarding the *olah* the verse states: *And he will skin the olah and cut it up in its parts*. One might think the *Kohanim* do not receive the hide. This is why the verse states: *The hide of the olah that he offered to him it should be*. This also excludes a *tevil yom* and an *onein*. One might think that even though they do not receive the meat of the sacrifice as they cannot eat it, they should still receive the hide. This is why the verse states: *To him it should be*. This excludes a *mechussar kippurim*, *tevil yom*, and *onein*.

The *Gemara* asks: Why doesn't the *Tanna Kamma* derive this law from a *kal vachomer* (as does Rabbi Yishmael)?

The *Gemara* answers: The *Tanna Kamma* holds that something which could be derived from a *kal vachomer* is still mentioned by the verse.

The *Gemara* asks: What does Rabbi Yishmael derive from the verse, *that he offered*?

The *Gemara* answers: He understands that this excludes a *mechussar kippurim*, *tevil yom*, and *onein*.

The *Gemara* asks: Why doesn't he derive this from *to him it should be*?

The *Gemara* answers: Rabbi Yishmael is based on his opinion, as he is quoted by Rabbi Yochanan, that the verse states both by *olah* and *asham* *to him it should be*. This teaches that just as the

bones of an *asham* are permitted (*one can even make vessels out of them, see 98a*), so too the bones of an *olah* are permitted.

The *Gemara* notes: This *gezeirah shavah* of *to him it should be* must be open for derivation (*i.e. clearly extra*). If they were not, one could ask that this cannot be derived from an *asham*, as an *asham's* meat is also permitted. However, the extra verse *to him it should be* teaches that we can even derive that this applies to an *olah*. (103a5 – 103b3)

Mishnah

Any *kodashim* that become invalid before they are skinned do not have their hide go to the *Kohanim*. Rather, the meat is burned together with the hide. If they become invalid after they are skinned, the hide is given to the *Kohanim*. Rabbi Chanina the administrator of the *Kohanim* says: I never saw a hide that was burned. Rabbi Akiva says: From his words we derive that if someone hides a *bechor* and it was found to be a *tereifah*, the *Kohanim* receive its hide (*even though this made it invalid even before it was skinned*). The *Chachamim* say: The fact that someone did not see something happen is not a proof that it did not happen. Rather, it should be burned. (103b3)

Skinned Hide

The previous *Mishnah* (103a) states: If the altar does not receive the meat, the *Kohanim* do not receive the hide, even if the hide was skinned before the sprinkling of the blood.

The *Gemara* asks: Whose opinion is this?

The *Gemara* answers: It is that of Rabbi Elozar the son of Rabbi Shimon. He says: Blood does not atone for hide alone.

Our *Mishnah* (*which is the second half of the above Mishnah*) states: Any *kodashim* that become invalid before they are skinned do not have their hide go to the *Kohanim*. Rather, the meat is burned together with the hide. If they become invalid after they are skinned, the hide is given to the *Kohanim*. This



seems to be according to Rebbe, who says that blood does atone on hide alone.

The *Gemara* asks: Can it be that the first half of the *Mishnah* is according to Rabbi Elozar the son of Rabbi Shimon, while the second half is according to Rebbe?

Abaye answers: Being that the second half is Rebbe, the first half also must be according to Rebbe. Rebbe merely admits that one cannot skin a sacrifice before sprinkling the blood. (*Therefore, the general practice is indeed that if the altar does not receive the meat, the Kohanim do not receive the hide. However, if it does happen that the hide was skinned early, it indeed goes to the Kohanim.*)

Rava answers that if the first half is according to Rabbi Elozar the son of Rabbi Shimon, so is the second part. When the *Mishnah* states “before it was skinned” and “after it was skinned,” it means “before it was fit to be skinned” and “after it was fit to be skinned.” (103b3 – 104a1)

DAILY MASHAL

Kal Vachomer

The *Gemara* states that something which may be derived through a *kal vachomer* (*literally translated as light and heavy, or lenient and stringent; an a fortiori argument; it is one of the thirteen principles of biblical hermeneutics; it employs the following reasoning: if a specific stringency applies in a usually lenient case, it must certainly apply in a more serious case*), the Torah may anyway take the trouble to write it explicitly.

The Bnei Yissoschar explains the reasoning for this: A *kal vachomer* is based upon logic. One might say that the reason this *halachah* (*derived through a kal vachomer*) is correct is because it is understandable to me; it makes sense. The Torah therefore goes out of its way to write it explicitly in order to teach us that the *halacha* is correct because the Torah said so; regardless of whether it is understood or not.

The Ra”n in *Nedarim* (3a) notes that this concept is applicable by a *hekesh* (*when the halachos from one topic are derived from another one*) as well. The *Gemara* in Bava Metzia (61a) states that it also applies to a *gezeirah shavah* (*one of the thirteen principles of Biblical hermeneutics; it links two similar words from dissimilar verses in the Torah*).

According to the explanation of the Bnei Yissoschar, we could say that the concept should only apply to a *kal vachomer*, for that is based upon logic. The Torah would not find it necessary to state explicitly a *halachah* which is derived through a *hekesh* or *gezeirah shavah*, for they are not based upon logic at all, and it would be superfluous to write it.

The Yad Malachei writes that if the Torah does explicitly write a *halachah* which was derived through one of the thirteen principles of Biblical hermeneutics, we must treat it more stringently than an ordinary *halachah*. This is comparable to a Rabbinical prohibition, which has a slight support from something written in the Torah. Tosfos in *Eruvin* (31b) rules that such a prohibition is stricter than an ordinary one, which does not have any Scriptural support.