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“Standing and Evaluating”

The *Mishna* had stated: If they (*animals consecrated for the altar*) die (even after developing a blemish) they are buried. [Rabbi Shimon says: Regarding animals consecrated for the repairs of the Temple, if they died, they are redeemed (for there is no requirement by them that they must “stand and be evaluated”).]

Rabbi Yochanan said: According to the Rabbis of the *Mishna*, both consecrations for the altar and consecrations for the repairs of the Temple are included in the law requiring “standing and evaluating.” Rish Lakish, however, says: According to the Rabbis, consecrations for repairs of the Temple were included in the law of “standing and evaluating,” whereas consecrations of the altar were not included in the law of “standing and evaluating.” And they both admit that according to Rabbi Shimon, the consecrations for the repairs of the Temple were not included in the law of “standing and evaluating,” whereas consecrations for the Temple were included in the law of “standing and evaluating.” And they both admit that according to all *Tannaim*, an animal blemished from the beginning (*before consecration*), is not included in the law of “standing and evaluating.”

The *Gemora* asks on Rish Lakish from our *Mishna*: Rabbi Shimon says: Regarding animals consecrated for the repairs of the Temple, if they died, they are redeemed. Now, this is understandable according to Rabbi Yochanan who says that according to the Rabbis, both consecrations for the altar and consecrations for the repairs of the Temple are included in the law requiring “standing and evaluating,” there is therefore a necessity for Rabbi Shimon to explain that consecrations for the repairs of the Temple which died are redeemed (which indicates that he argues there and not by consecrations for the altar). But according to Rish Lakish (who holds that the Rabbis stated their opinion only with respect to consecrations for the repair of the Temple), what is the necessity for Rabbi Shimon to explain this? Let him simply say: If they die, they are redeemed?

The *Gemora* answers: Rish Lakish can answer you that Rabbi Shimon did not know what the first *Tanna* in the *Mishna* meant, and this is what he said to him: If you refer to consecrations for the altar (and you say that it should be buried), I agree with you (for it is subject to the requirement of “standing and evaluating”), and if you refer to consecrations for the repairs of the Temple, if they die they are redeemed (for they are subject to the requirement of “standing and evaluating”).

The *Gemora* cites a *braisa* in support of Rabbi Yochanan: It is written: *And if it is from any tamei animal, of which they may not bring an offering*; this refers to blemished animals which were redeemed. Perhaps it is not so and it refers to a *tamei* (*nonkosher*) animal? Since it says: *And if it be of a tamei animal, then he shall redeem it according to your evaluation*, the case of a *tamei* animal is already mentioned; how therefore do I explain the other verse: *And if it is from any tamei animal, of which they may not bring an offering to Hashem*? It refers to blemished animals which were redeemed. One might think that they may be redeemed on account of a temporary blemish; the verse, however, states: *of which they may not bring an offering*, thus referring to a sacrifice which is not offered at all. This excludes this case which is not offered today, but it is offered tomorrow (*if the blemish goes away*). And the Torah says that the sacrifice requires “standing and evaluating.” [This proves that the Rabbis indeed hold that animals consecrated for the altar require “standing and evaluating,” like R’ Yochanan said!]

Rabbi Gidal said in the name of Rav: What is the reason of Rish Lakish in saying that according to the Rabbis animals consecrated for the altar are included in the requirement of “standing and evaluating” (*ha’amadah and ha’arachah – and if they cannot stand before us, they cannot be evaluated to be redeemed*), whereas animals consecrated for the repairs of the Temple are not included in the requirement of “standing and evaluating”? It is because it is written: *And the Kohen shall evaluate it, whether it be good (unblemished) or bad (blemished)*. Now, what is the kind of consecration where there is no difference between ‘good’ and ‘bad’? It must be referring to consecrations for the



repairs of the Temple (*for then, there will be no difference if its blemished or not*), and the Torah says 'it,' thus excluding the case of consecrations for the altar (*that they do not need to be "stood and evaluated"*).

The *Gemora* notes that according to the opinion of Rabbi Yochanan (*that animals consecrated for the altar are included in the requirement of "standing and evaluating"*), 'it' excludes an animal which was blemished from the beginning (*of its consecration*).

The *Gemora* asks: And according to the *Tanna* of the academy of Levi who says that even an animal blemished from the beginning is included in the requirement of "standing and evaluating," for Levi taught: All sacrifices are included in the requirement of "standing and evaluating," even an animal blemished from the beginning. And the *Tanna* of the academy of Levi taught in his *braisa*: Even an undomesticated animal and even birds (*are included in the requirement of "standing and evaluating"*), what then does the word 'it' exclude?

The *Gemora* notes that this indeed is a difficulty.

Rav Yehudah said in the name of Rav: Why does Rabbi Shimon say that consecrations for the altar are included in the law of "standing and evaluating," whereas consecrations for the repairs of the Temple are not? It is because it is written: *And the Kohen shall evaluate it whether it be good or bad*. Now what is the kind of consecration in which there is a difference between 'good' (*an unblemished animal*) and 'bad' (*a blemished one*)? It must be referring to consecrations for the altar, and the Torah says, 'it,' thus excluding the case of consecrations for the repairs of the Temple (*that they do not need to be "stood and evaluated"*).

The *Gemora* asks: If so (*that the verse is referring to a case where there is a difference between good and bad*), the verse should have said, 'between good and bad' (*not "whether it be good or bad"*)?

The *Gemora* notes that this indeed is a difficulty.

The *Gemora* asks on Rabbi Yochanan from a *braisa*: If they (*consecrated offerings*) die unblemished, they must be buried (*even those which are not included in the law of "standing and evaluating," the Rabbis decreed that since they were fit for the altar, they cannot be redeemed*); if blemished, they are redeemed (*for according to Rish Lakish, the Rabbis maintain that animals consecrated for the altar do not require "standing and evaluating"*). These words apply only to

consecrations for the altar, but consecrations for repairs of the Temple, whether they are unblemished or blemished, they must be buried (*for these animals have the requirement of "standing and evaluating"*). Rabbi Shimon, however, says: In the case of both consecration for the altar and consecration for the repairs of the Temple, if unblemished, they must be buried (*based upon the Rabbinic stringency mentioned above*); if blemished, they are redeemed (*for they are not included in the requirement of "standing and evaluating"*). Shall we say that the first clause refutes Rabbi Yochanan (*for it states according to the Rabbis that animals consecrated for the altar can be redeemed, for they do not require "standing and evaluating," whereas R' Yochanan says that it is required*)?

The *Gemora* answers: Rabbi Yochanan can answer that the *braisa* is dealing here with an animal which became blemished from the beginning (*of its consecration, and then everyone agrees that "standing and evaluation" is not required, and they may be redeemed even after they died*).

The *Gemora* notes that this explanation is reasonable, for if you say that the case is where their consecration preceded their blemish, why doesn't Rabbi Shimon dispute that (*for he should say that they must be buried, since he maintains that animals consecrated for the altar are subject to the requirement of "standing and evaluating"*)?! You must therefore say that the case here is of an animal blemished from the beginning.

The *Gemora* asks: But then are we to say that this refutes Rish Lakish? (*The braisa deals with the case of an animal blemished from the beginning, and we can therefore say that the reason why the Rabbis maintain that the animals are redeemed is because the blemish preceded the consecration, but if the consecration preceded the blemish, then even the Rabbis will hold that they are buried. This would be against the opinion of Rish Lakish who holds that consecrations for the altar are not subject to the law of "standing and evaluating"!*)?

The *Gemora* answers: Rish Lakish will explain that the *braisa* is dealing with a case where their consecration was prior to their blemish (*and that is why they can be redeemed*).

The *Gemora* asks: If so, why doesn't Rabbi Shimon dispute that (*and state that the animals must be buried, for he holds that animals consecrated for the altar are not subject to the law of "standing and evaluating"*)?



Rish Lakish (*cites another braisa that*) reverses (*the order of the rulings*), and asks a question on Rabbi Yochanan from a different *braisa* as follows: If they (*consecrated animals*) die, whether unblemished or blemished, they are buried. These words apply only to consecrations for the repairs of the Temple (*for these animals have the requirement of "standing and evaluating"*), but consecrations for the altar are redeemed (*for according to Rish Lakish, the Rabbis maintain that animals consecrated for the altar do not require "standing and evaluating"*). Rabbi Shimon, however, says: If (*they died*) unblemished, they must be buried (*based upon the Rabbinic stringency mentioned above*); if blemished, they are redeemed (*for they are not included in the requirement of "standing and evaluating"*). Shall we say that the latter clause refutes Rabbi Yochanan (*for it states according to the Rabbis that animals consecrated for the altar can be redeemed, for they do not require "standing and evaluating," whereas R' Yochanan says that it is required*)?

The *Gemora* answers: Rabbi Yochanan can answer that the *braisa* is dealing here with an animal which became blemished from the beginning (*of its consecration, and then everyone agrees that "standing and evaluation" is not required, and they may be redeemed even after they died*).

The *Gemora* notes that this explanation is reasonable, for if you say that the case is where their consecration preceded their blemish, why doesn't Rabbi Shimon dispute that (*for he should say that they must be buried, since he maintains that animals consecrated for the altar are subject to the requirement of "standing and evaluating"*)?!

The *Gemora* asks: But then are we to say that this refutes Rish Lakish? (*The braisa deals with the case of an animal blemished from the beginning, and we can therefore say that the reason why the Rabbis maintain that the animals are redeemed is because the blemish preceded the consecration, but if the consecration preceded the blemish, then even the Rabbis will hold that they are buried. This would be against the opinion of Rish Lakish who holds that consecrations for the altar are not subject to the law of "standing and evaluating"!*?)

The *Gemora* answers: Rish Lakish will explain that the *braisa* is dealing with a case where their consecration was prior to their blemish (*and that is why they can be redeemed*).

The *Gemora* asks: If so, why doesn't Rabbi Shimon dispute that (*and state that the animals must be buried, for he holds that animals consecrated for the altar are not subject to the law of "standing and evaluating"*)?

The *Gemora* answers: Rish Lakish will answer you that Rabbi Shimon in fact does differ (*even by animals consecrated for the altar, for he maintains that they should be buried; he states his argument by one, but in truth, he argues by both*).

Rabbi Yirmiyah said to Rabbi Zeira: According to Rish Lakish, who says that according to the Rabbis, consecrations for the altar are not included in the law of "standing and evaluation," and the *braisa* above states with reference to consecrations for the altar that blemished animals are redeemed, and we have explained this as being a case where the consecration preceded their blemish; may we infer from here that we may redeem consecrated animals in order to give them for food to dogs (*for since we say that dead animals which are not fit for consumption are redeemed, we can only infer that the redemption is valid even if its only benefit is to give to dogs*)?

The *Gemora* answers: No; the case here is where he transgressed and slaughtered them (*before redemption; and when it will be redeemed, it will be fit to be eaten*), as it has been taught in a *braisa*: Regarding animals in which a blemish occurred and which he slaughtered it, Rabbi Meir says: They shall be buried (*for he holds that animals consecrated for the altar are subject to the requirement of "standing and evaluation"*), whereas the Sages say they are redeemed (*for they maintain that these animals do not have the requirement of "standing and evaluation"*).

Rabbi Yirmiyah said to Rabbi Zeira: According to Rabbi Shimon, who says that consecrations for the repairs of the Temple were not included in the law of "standing and evaluation," why are unblemished consecrated animals buried (*they should be redeemed*)?

The *Gemora* answers: It is because they are fit to be offered, and it has been taught in a *braisa*: If one donates an unblemished animal for the repairs of the Temple, when they are redeemed, they can only be redeemed in order to be used on the altar, since everything which is fit for use on the altar is never released from the state of the altar.

Rav Pappa to Abaye, or according to another version, to Rava: According to Rabbi Yochanan who explains the *braisa* above to be referring to a case of an animal blemished from the beginning, which would imply that all the *Tannaim* hold that an animal blemished from the beginning is not included in the law of "standing and evaluating." But is it indeed not included? Have we not learned in a *Mishna*: All consecrated animals which had contracted a permanent physical blemish before they were consecrated and have been redeemed are



subject to the law of the *bechor* and to the *Kohanic* gifts; and they revert to *chullin* that they may be shorn and may be put to work; and after they have been redeemed, their offspring and their milk are permitted; and he who slaughtered them outside the Sanctuary is not liable; and they cannot effect *temurah*; and if they died, they may be redeemed. And Rav Yehudah said in the name of Rav: This is the teaching of Rabbi Shimon who said: Animals consecrated for the altar were included in the law of “standing and evaluation,” whereas objects consecrated for the maintenance of the Temple were not included in the law of “standing and evaluation” (and that is why – even if the animal dies, and it cannot “stand” to be evaluated, it may still be redeemed). For we have learned in a *Mishna*: Rabbi Shimon said: Animals consecrated for the maintenance of the Temple - if they die, they can be redeemed. Rabbi Shimon agrees, however, that an animal blemished from the start (before consecration) may be redeemed. [Although animals consecrated for the altar require “standing and evaluation,” and therefore, cannot be redeemed when dead, in the case here of a sacrifice blemished from the start, he agrees that it can be redeemed when dead; this is because it is like an animal consecrated for the maintenance of the Temple, which was not included in the law of “standing and evaluation,” for it was consecrated so that it would be sold and the proceeds will be used to buy offerings for the altar.] What is the reason? It is because it is written: *And the Kohen shall evaluate it*; the word ‘it’ excludes the case of an animal with a blemish from the start (before consecration). But the Sages say: If they die, they are to be buried. [Evidently the Sages do not agree that an animal blemished from the beginning is still included in the requirement of “standing and evaluation.”]

Abaye disagrees: Who are the Sages referred to here? They are the *Tannaim* cited in the *braisa* of the school of Levi (who said that all animals are included in the law of “standing and evaluation,” even an animal blemished from the start before consecration; the Sages in the *Mishna*, however, might agree with R’ Shimon).

The *Gemora* asks: [The *Rabbis*, who differ from Rabbi Shimon, what is their position? Seemingly, they maintain that if they the animal which was blemished before its consecration died, it is redeemed.] If so, Rav should have said that this (our *Mishna*) is the teaching of Rabbi Shimon as well as those who dispute with him!?

Abaye answers: Rav holds according to Rish Lakish, who explained that the *Rabbis* maintain that animals dedicated for the maintenance of the Temple were included in the law of “standing and evaluation,” whereas animals consecrated for the altar were not included in the law of “standing and evaluation.” Therefore, the *Mishna* cannot be

explained completely according to their view, for the latter part of the *Mishna* (regarding animals that were consecrated for the altar, and afterwards, they developed a blemish) states: and if they died, they shall be buried (from which we may infer that animals consecrated for the altar are included in the law of “standing and evaluation,” whereas the *Rabbis*, according to the interpretation of Rabbi Shimon ben Lakish, hold the reverse view).

And alternatively, you may say that Rav holds the opinion of Rabbi Yochanan; and as for your difficulty that Rav should have stated that this is the teaching of Rabbi Shimon as well as those who dispute with him, indeed it is so (that it is the opinion of R’ Shimon and the *Rabbis* who differ from him). (32b – 33b)

DAILY MASHAL

Fitting Cadence

The Book of Vayikra begins with Hashem’s call to Moshe to initiate the Divine service and comes to a disturbing climax with the dire warnings of Divine retribution should the people go astray. The Torah continues, in Bamidbar, with a few laws respecting animals sanctified for the Divine service. Why do these laws follow on the heels of the dire warnings?

Rabbi Abraham Twerski explains: The very last passage of Vayikra discusses the laws of *temurah*, among the laws of other holy items. An animal sanctified for an offering cannot be exchanged for another. If the exchanges is attempted, both animals remain in the holy domain. The Torah repeatedly stresses that no distinction be made between “good and bad”. The laws of this section thus teach us that once an object attains holiness it must remain so unless properly redeemed.

Upon further consideration, this law provides a fitting metaphor for the consolation that concludes the dire warning, when G-d declares “even in the land of their enemies I will not cast them away, nor will I loathe them to destroy them and void My convenient with them.” We see this promise etched in the structure of *halachah* (Jewish law) in the laws of *temurah* and other holy items. G-d has invested the Jewish people with holiness by choosing us. Whether “good or bad,” we cannot lose our designation. We, too, will have redemption.