

14 Adar 5781
Feb. 26, 2021



Pesachim Daf 97

Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

Daf Notes is currently being dedicated to the neshamah of

Tzvi Gershon Ben Yoel (Harvey Felsen) o”h

May the studying of the Daf Notes be a zechus for his neshamah and may his soul find peace in Gan Eden and be bound up in the Bond of life

Shmuel said: Whatever must be left to perish in the case of a chatas-offering, is brought as a shelamim-offering in the case of a pesach-offering,¹ and whatever must be left to graze in the case of a chatas-offering,² must also be left to graze in the case of a pesach-offering. While Rabbi Yochanan said: No pesach-offering is brought as a shelamim-offering save that which is found after the slaughtering, but not [if it is found] before the slaughtering. To this Rav Yosef demurred: Now is this a general rule? Surely there is the chatas-offering more than a year old, which goes forth to pasture,³ for Rabbi Shimon ben Lakish said: A chatas-offering more than a year old, we regard as though it stood in a cemetery,⁴ and it must be left to graze; whereas a pesach-offering in such a case is brought as a shelamim-offering, for it was taught: ‘[If he brings] a lamb [etc.]’: this is to include the pesach-offering, in respect of its fat tail. When it is stated, ‘If [he brings] a lamb,’ this is to include [an animal] more than a year old [dedicated for] a pesach-offering and a shelamim-offering which comes in virtue of a pesach-offering-offering in respect of all the regulations of a shelamim-offering, [viz.,] that they require semichah,⁵ nesachim,⁶ and the waving of the breast and shoulder. Again, when it [the Torah] states, ‘and if [his offering be] a goat’, it breaks across the subject and teaches of a goat that it does not require [the burning of its] fat tail

[on the altar]! — Said he to him, Shmuel spoke only of lost [sacrifices], but he did not say it of rejected [animals]. Yet is [this principle] possible [in the case of] a lost [sacrifice]? Surely an [animal which was] lost at the time of separating [another],⁷ in the view of the Rabbis goes to pasture [until it receives a blemish], for we learned: If he set apart [an animal as] his chatas-offering and it was lost, and he [then] set apart another in its stead, and [then] the first was found again, and behold, both stand [before us], [any] one of them may be sacrificed, while the other must die; these are the words of Rebbe. But the Sages maintain: No chatas-offering must die except one found after its owner has been atoned for. Hence [if found again] before its owner was atoned for, it must graze. Whereas in the case of a pesach-offering, if it was lost and found again after midday [but] before the slaughtering [of the second], it is brought as a shelamim-offering? — Shmuel agrees with Rebbe, who maintained: A lost animal goes forth to perish. But every lost [chatas-offering], according to Rebbe, is left to die, whereas in the case of a pesach-offering, if it was lost before midday and found again before midday it must be left to graze? - [If found] before midday it is not [regarded as lost],⁸ in accordance with Rava. For Rava said: A loss at night is not designated a loss.⁹ Then according to Rebbe, how is it possible that [a chatas-offering]

¹ There are five cases of the former: (i) the offspring of a chatas-offering; (ii) the substitute of a chatas-offering; (iii) a chatas-offering whose owner died; (iv) a chatas-offering which was lost, and refund after its owner had made atonement with another; and (v) a chatas-offering more than a year old. All these must be allowed to perish. It is now assumed that all these, in the case of a pesach-offering (the first of course is excluded, the pesach-offering being a male), are brought as a shelamim-offering.

² Until it receives a blemish, when it can be redeemed.

³ Until it receives a blemish.

⁴ Thus inaccessible to the Kohen for sacrifice-i.e., it cannot be sacrificed.

⁵ The laying [of the hands].

⁶ Libations.

⁷ If a chatas-offering was lost and another consecrated, and then the first was found again before the second was sacrificed, so that the first was a lost animal only when the second was set apart, but not when it was sacrificed.

⁸ Even if another had been separated in its place.

⁹ If a chatas-offering was lost at night, and another was separated in its stead, and the first was found by the morning, even on Rebbe's view it is not regarded as having been lost, since it could not have been sacrificed at night in any case, and therefore it goes forth to pasture. By the same reasoning, if the lost pesach-offering-offering is found before

should be left to graze? — In accordance with Rabbi Oshaya. For Rabbi Oshaya said: If he set apart two chatas-offerings as security,¹⁰ he is atoned for by one of them, while the second must be left to graze. Yet surely a pesach-offering-offering in such a case is brought as a shelamim-offering?¹¹ — Rather, Shmuel holds as Rabbi Shimon, who maintained: The five chatas-offerings are left to die.¹² But surely Rabbi Shimon does not hold at all that [any chatas-offering] must be left to graze?¹³ Shmuel too stated one rule [only]: Whatever must be left to perish in the case of a chatas-offering must be left to graze in the case of a pesach-offering. Then what does he inform us?¹⁴ — [His purpose is] to rebut Rabbi Yochanan, who said: No pesach-offering is brought as a shelamim-offering except if it is found after the slaughtering, but not [if it is found] before the slaughtering, which proves that [in his opinion] the slaughtering fixes [it as a rejected animal]; hence he [Shmuel] informs us that midday fixes [it].

Another version: Whereas in the case of the pesach-offering, where it is lost and found after midday [but] before the slaughtering [of the second], it is brought as a shelamim-offering?¹⁵ — Shmuel agrees with Rabbah, who maintained: The slaughtering fixes [it].¹⁶ But surely, since Rabbi Yochanan said thereon: ‘No pesach-offering-offering is brought as a shelamim-offering save when it is found after the slaughtering, but not [if it is found] before the slaughtering,’ which proves that [in his opinion] the slaughtering fixes [it], it follows that Shmuel holds [that] midday fixes it? - Rather Shmuel agrees with Rebbe, who ruled: A lost [sacrifice] goes forth to perish — But all lost [sacrifices] are left to perish, in Rebbe's opinion, whereas in the case of the pesach-offering, where it is lost before midday and found before midday it

midday, it is not regarded as having been lost, since it could not have been sacrificed before midday.

¹⁰ Each as security for the other, in case the other is lost.

¹¹ For this is definitely a case where one is a remainder’, not a rejected sacrifice.

¹² Those die in all cases, this holding good of whether it was refound before atonement was made with the second or after. Similarly, if two are set aside as a security for each other, the unsacrificed one must die.

¹³ How then can Shmuel say, ‘whatever must be left to graze in the case of a chatas-offering’?

must be left to graze? — He holds that [if it is found] before midday it is not [regarded as] lost, and he also holds: Midday fixes [it]. (97a1 – 97b2)

INSIGHTS TO THE DAF

CHATAS INSURANCE

Tosfos (DH “Hifrish”) asks, how exactly does someone dedicate two animals as a chatas? If he says “This is a chatas,” first regarding one animal and then regarding a second animal, the second dedication is invalid, as a person cannot bring two korbanos chatas on one sin. He also cannot say “These animals are dedicated for my chatas,” as Rabbah states in Eirubin (50a) that if something cannot be effective when done one after the other, it also cannot be effective when done at the same time.

Tosfos therefore concludes that the case must be where he says that “This is a chatas, and the second one should be insurance.” However, why should it have to be put to pasture in such a case? He explicitly said that it was only an insurance animal! Tosfos concludes that it must be that this is a tradition (probably a Halachah L’Moshe mi’Sinai).

¹⁴ Since all chatas-offerings must be left to die, it follows that Shmuel teaches that all lost pesach-offering are brought as shelamim-offerings. But this is already taught in the Mishnah, viz., if the pesach-offering is found after the slaughtering, it is brought as a shelamim-offering; this is explained above as meaning after the time for slaughtering, i.e., after midday, which proves that if it is still lost at midday it is brought as a shelamim-offering.

¹⁵ This is another version of the difficulty raised above: ‘But surely an animal which was lost at the time of separating another, in the view of the Rabbis goes to pasture, whereas in the case etc.

¹⁶ Hence if found before the second is slaughtered it goes to pasture.