

34.6.3

26b (משנה ו) → 27b (קמ"ל)

1. וְאֵת אֲשֶׁר חָטָא מִן הַקֹּדֶשׁ יִשְׁלַם וְאֵת חֲמִישְׁתּוֹ יוֹסֵף עָלָיו וְנָתַן אֹתוֹ לַפֶּהן וְהִפְהֹן וְכִפֵּר עָלָיו בְּאֵיל הָאֲשֵׁם וְנִסְלַח לוֹ: וּיקרא ה, טו
 2. ... שְׁמָה תִּבְיָאוּ אֵת כָּל אֲשֶׁר אֲנֹכִי מִצְוֶה אֶתְכֶם עוֹלֵתֵיכֶם וְזִבְחֵיכֶם מַעֲשֵׂוֹתֵיכֶם וְתִרְמַת יְדֵיכֶם וְכֹל מִבְּחֹר נְדָרֵיכֶם אֲשֶׁר תִּדְרוּ לַה': דברים יב, יא
 3. נָפֵשׁ כִּי תִמְעַל מֵעַל וְחָטְאָה בְּשִׁגְגָה מִקְדָּשֵׁי ה' וְהִבִּיא אֶת אֲשֶׁמוֹ לַה' אֵיל תָּמִים מִן הַצֹּאן בְּעֶרְכָּךְ קָטָף שְׂקָלִים בְּשֶׁקֶל הַקֹּדֶשׁ לְאֲשֵׁם: ויקרא ה, טו
 4. או הודע אליו חטאתו אשר חטא והביא קרבנו שעירת עזים תמימה נקבה על חטאתו אשר חטא: ויקרא ד, כח

- I (שקלים) – see v. 3 – (אשם which is obligated by תורה – see v. 3 – consequences of variations in spending 2 סלעים for 1 משנה ו)
- a if: he set aside 2 סלעים for an אשם and bought two rams with that money
 - i if: one of them was worth 2 סלעים, offer that one up and the other grazes and its פדיון goes to נדבה
 - b if: he misused funds and spent them on two rams for his own use; and 1 was worth 2 and the other 2.25 (חומש+מעילה)
 - i then: the one worth 2 is brought as his אשם, and the other as his "מעילה"
 - c if: he partially misused funds and bought 1 for אשם (worth 2) and the other for חולין (worth 1)
 - i then: he brings the one worth 2 for his אשם and the other for his "מעילה" along with 1.25
 - 1 meaning of "מעילה": in case (b), must mean "his theft" i.e. what he misuse; but in case (c) it means "his מעילה אשם"
 - 2 resolution: in case (b), the more expensive one covers חומש – he calls that "מעילה"
 - (a) however: in case (c), the less expensive one is the payment, he refers to the אשם "מעילה"
- II אשם מעילות? (מעילות from multiple חומשים)
- a disconnect from issue of הקדש בשבח מתכפר: even if we may use שבח הקדש (see below), perhaps we cannot use כינוס חומשים
 - i reason: he worked to appreciate the הקדש, but not to accumulate חומשין
 - ii and: even if we may not use שבח הקדש, we might be able to use כינוס חומשין, as they were set aside for payment-מעילה
 - b background: question was asked whether a person may use שבח הקדש for כפרה
 - i suggested answer: from our משנה; since he may use ram bought for 1 סלע (2 סלעים for 2) for אשם → may use שבח הקדש
 - 1 rejection: in this case, the shepherd sold it to him under market value (i.e. it was already worth 2)
 - ii suggested answer: ט: תוספתא כריתות ד – if he bought a ram for 1 and fattened it to a value of 2 – valid as אשם
 - 1 rejection: since he fattened it, he indeed spent 2 סלעים (1 for purchase, 1 for fattening it up)
 - iii suggested answer: (ibid) – if he bought a ram for 1 and it is now worth 2 – it is valid
 - 1 rejection: that is also a case of him expending to increase its value
 - 2 challenge: why repeat that ruling (same as רישא)?
 - (a) answer: רישא was a case where he spent 1 סלע to buy it and another 1 to add value (fattening it up)
 - (i) and: סיפא is a case where he spent 1 to buy it and 3/4 סלע to fatten it up – but its worth is now 2
 - (ii) challenge: in that case, תוספתא adds that he must supplement the cost – שלם סלע
 - 1. but: according to that אוקימתא, he should only have to add 1/4 סלע
 - 2. answer: indeed, "paying a סלע" means that he must make up the rest of the סלע (תשלום סלע) = 1/4 סלע
 - (b) but: if we hold that one may not use שבח הקדש for כפרה, adding the 1/4 shouldn't help – the איל isn't worth 2
 - (c) answer: the author of the תוספתא holds that he may use שבח הקדש
 - (i) if so: why does he need to add 1/4?
 - (ii) answer: precaution against people thinking that a ram worth less than 2 סלע may be brought for אשם
 - iv conclusion: תוספתא סי – if it was worth 1 at designation and 2 at time of כפרה – invalid
- III series of questions asked by ר"ר of יוחנן (in #1 ר"ר was astounded that ר"א hadn't heard the answer from him)
- a כפרה: may it be used for שבח הקדש
 - i ד' יוחנן had taught that תודה or ולד תודה could be used fully as תודה (if index תודה hadn't yet been brought)
 - b דיחויי בעלי חיים: are animals which are rejected while alive fully נדחים?
 - i ד' יוחנן had taught ruling about animal owned by 2 partners in which 1 is מקדיש his half – animal is utterly נדחה
 - 1 note: ruling teaches that there is דיחוי in דמים; there is דיחוי ab initio and there is דיחוי in בעלי חיים
 - c value of אילים: if worldwide market value depreciated and rams cannot be found at 2 סלעים – can he bring at less?
 - i lemma1: we require "the best" (v. 2) OR
 - ii lemma2: we require שקלים כסף (v. 3 – 2 סלעים)
 - iii ד' יוחנן had taught in רשב"י's name: reason תורה didn't give minimum for כפרה – in such a case – no solution
 - 1 implication: if there is a specific minimum, it is indispensable
 - 2 however: ר"ר hadn't been asked about it (therefore he didn't teach it → ר"א hadn't heard in בית מדרש)
 - 3 challenge (אביי): if so, there should be a minimum for חלב (doesn't impede קדשים)
 - 4 challenge (רבא): if so, (טמא) אשם should have minimum – it serves no purpose – קשיא

IV ז משנה: singularity of purpose of חטאת

- a *if*: he sets aside a חטאת and dies, his son may not bring it in his stead
- b *and if*: he set it aside for חלב he ate one day, he may not bring it for חלב (same sin) eaten another day
 - i *source*: על חטאתו... קרבנו... (v. 4) demand that it must be his own and designated for that sin
 - ii חטא must be designated for a specific קרבן
 - iii קרבנו *ברייתא* – must use his own
 - 1 *not (even)*: his father's (from קרבנו)
 - (a) *even*: if his father and he had both violated a “light” or “serious” sin
 - (b) *even*: if his father had set aside funds for purchase of חטאת – (as he may do with מעות set aside for נזירות אביו)
 - (c) *even*: if his father had set aside funds for purchase of חטאת of the same “grade” (קלה or חמורה)
 - 2 *not even*: his own for another sin (from על חטאתו... קרבנו)
 - (a) *even*: “light” for “light” or “serious” for “serious”
 - (b) *even*: using money designated for חטאת for חלב for purchase of חטאת דם
 - (i) *explanation*: in that case, there is מעילה (i.e. money is still liable for מעילה → סד"א he could achieve כפרה)