

15.4.3

35b → (משנה גו) (טובת הנאה שלו)

Note: the תורה (v. 4) stipulates that if during one of the 4 עבודות (הדם, זריקת הדם, הולכת הדם, קבלת הדם, שחיטה), the officiant has in mind that he is performing this act so that the offering will be eaten after its prescribed time, the offering is considered a פיגול and is invalid

1. זאת תורת הזב ואשר תצא ממנו שכתב זרע לטמאה בה: ויקרא פרק טו פסוק לב
 2. והקריבו לפני ה' וכפר עליה וטהרה ממקד דמיה זאת תורת הילדת לזכר או לנקבה: ויקרא פרק יב פסוק ז
 3. זאת תהיה תורת המצרע ביום טהרתו והובא אל הפה: ויקרא פרק יד פסוק ב
 4. ואם האכל יאכל מבשר זבח שלמיו ביום השלישי לא ירצה המקריב אתו לא יחשב לו פגול יהיה והנפש האכלת ממנו עונה תשא: ויקרא פרק ז פסוק יח
 5. דברו אל כל עדת ישראל לאמר בעשר לחדש הזה ויקחו להם איש ששה לבית אבית ששה לבית: שמות פרק יב פסוק ג
 6. עשר תעשר את כל תבואת זרעך היצא השדה שנה שנה...ואכלת לפני ה'...וכי ירבה ממך הדָרָךְ... ונתתה בכסף דברים פרק יד פסוק כב-כה

- I גו: Continuation of permitted activities by a מדר (A) on behalf of a מודר (B)
 - a A may separate B's תרומה and מעשרות – with his consent
 - b (if the מדר is a כהן) A may offer קרבנות on B's behalf – nests for זב/ה and יולדת and אשם and חטאת, יולדת
 - c A may teach B ואגדות הלכות ומדרש, but not מקרא (he may, however, teach B's sons and daughters)
- II Posed question: agency of כהנים
 - a Lemma1: they are the agents of the nation/ the donor (שלוחי דידן) OR Lemma2: they are the agents of God (שלוחי דרחמנא)
 - b Split the difference: if a donor is מודר from a particular כהן, may that כהן offer on his behalf?
 - c Attempted proof: from our משנה (the כהן may offer on his behalf → must be שלוחי דרחמנא)
 - i Rejection: should state that he may bring all his קרבנות – why single out כפרה-generated ones?
 - ii Rather: this group (יולדת, זב, זבה, along with מצורע) are מחוסרי כפרה whose דעת isn't needed for כפרה
 - 1 Proof: v. 1 – applies even to a זב קטן and his father brings offerings on his behalf (even – זאת תורת)
 - (a) Challenge: how would this apply to v. 2 – a קטנה can't be a יולדת (as per סוגיא of נשים ג')
 - (i) Defense: extends to אשה שוטה (per יהודה - ר' that a husband brings any קרבן for which she is liable – as per his wealth status [if it is a יורד])
 - 1. challenge: if so, why can't a person bring a חטאת on behalf of his fellow?
 - a. Answer: application of יהודה ר' ruling to a חלב חטאת is faulty, as follows:
 - i. If: she transgressed as a שוטה, no liability
 - ii. If: she transgressed as a פקחת, then became a שוטה and got better – no קרבן – (דחוי) – קרבן
 - 2. secondary challenge: why can't P bring a קרבן פסח on behalf of Q, as he may do for his children?
 - a. Answer: דאורייתא (v. 5) is not אבות (children don't need to be formally included)
 - i. Proof: if a father declares that whichever child gets to ירושלים first, s/he "merits" having the פסח slaughtered for all of them – can't work if שלב"א is a real obligation, since the פסח is slaughtered once the 1st one gets there and the rest are excluded (explanation – father said it to encourage them)
 - (b) Challenge: (possibly) from our משנה – כהן can offer חטאת ואשם on מודר's behalf
 - (i) Answer: refers to מצרע of חטאת ואשם, as per v. 3 (again – can be a קטן)
 - d Attempted proof: כהנים who perform פיגול (see note) are liable for damages if they did so intentionally;
 - i Implication: if they did so inadvertently, it is still פיגול → they must be שלוחי דרחמנא;
 - 1 Argument: if they are our agents, the פיגול shouldn't be considered, since the donor can state that he didn't dispatch him to foul matters, rather to act properly on his behalf
 - ii Rejection: פיגול is unique in that it is effective even without the intent of the donor as per v. 4
 - III Related question: if A takes תרומה to cover B's grain, does he need his consent for it to be valid?
 - a Lemma1: since it is a benefit for B, B's consent not needed OR Lemma2: perhaps B prefers to perform מצוה on his own
 - b Attempted proof: 1st clause of our משנה
 - i Circumstance: must be A separating from A's grain for B's grain without B's consent → no need
 - ii Rejection: case may be where A separates from B's grain; B announced "anyone who wishes to may separate"
 - c Related question: if A "repairs" B's grain with his own, who has טובת הנאה (i.e. who decides to which כהן to give it?)
 - i Answer (ר' זירא): from v. 6 – it is the one whose grain is being "fixed" that may give it to whom he chooses
 - 1 Challenge: 1st clause of our משנה – beneficiary must be A
 - 2 Rejection: as above – when it was from B's grain and B made the announcement (as above)
 - 3 Final ruling: טובת הנאה belongs to the one separating
 - (a) Additional rulings:
 - (i) only the one who was מקדיש adds 1/5 when redeeming הקדש
 - (ii) only the one who stood to be expiated has the power to make תמורה