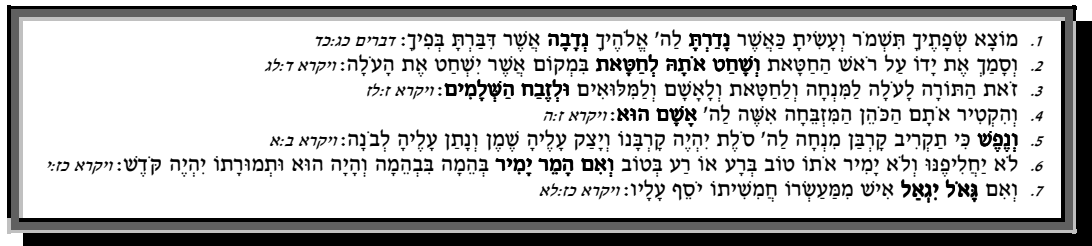


28.1.4

(מקיבעא לא מכפרא מקופיא מכפרא) 6a → (רמי ריש לקיש על מעוהי בי מדרשא ומקשי) 5a



- I (ר' אלעזר בן פדת in the presence of ר' שמעון בן לקיש while on his stomach)
- a If: such a קרבן (בשנוי קודש slaughtered) is valid, why isn't it מרצה (i.e. atones for donor)
 - i And if: it doesn't atone, why bring it?
 - b Answer (ר"א): we find that offerings are brought after death of donor without רצוי
 - i Support: חטאת ביה – קנים ביה – if a חטאת brings her יולדת and dies, her heirs bring her עולת העוף (not inverse; that's מתה חטאת)
 - c Response (רשב"ל): accedes point re: עולה, but why would an אשם be brought if slaughtered לשמה (→ not מרצה)?
 - i Answer (ר"א): we have ר' אליעזר in our משנה who extends full invalidity from חטאת to אשם
 - 1 Rejection: looking for a consensus answer; invoking ר"א is of no help
 - d Answer (רשב"ל himself): v. 1, per application we've already used (if proper – נדר if not – נדבה)
- II Analysis #1: ר' זירא, ר' אבאי, and then later by ר' יצחק בר אבא
- a אשם שלא לשמה? (he supposedly gave) from v. 1? Perhaps אשם, why was the response (if ר"ל was bothered by אשם, why was the response (he supposedly gave) from v. 1? Perhaps אשם isn't brought at all?
 - i Answer (אבאי): ר"ל began with v. 2, implying that only חטאת is fully invalidated if לשמה לא
 - 1 Implication: perhaps all others are not only valid, but they are מרצה
 - 2 Therefore: he invoked v. 1; brought but as נדבה (→ ריצוי בעלים no)
 - (a) Challenge: then perhaps אשם should be brought and be מרצה (as v.1 only covers עולה ושלמים)
 - (b) Rejection (אבאי): אשם can't be מרצה, עולה ק"ו, מרצה, which isn't brought for a חטא
 - (i) Block: אשם is עולה כליל לה', unlike חטאת
 1. Save: מרצה still not, כליל שלמים prove that even without
 - (ii) Block: חטאת require נסכים and חטאת ושוק
 1. Save: now we have a common denominator of עולה+שלמים
 2. Save: as well אשם → מרצה, but not קדשים שנשחטו שלא לשמן הצד השווה
 - (iii) Block: חטאת can be brought by עולה ושלמים
 1. Save: חטאת cannot be brought by צבור yet has same characteristic
 - (iv) Block: חטאת requires 40 loaves
 1. Save: חטאת disprove that link, as they have same characteristic without חטאת
 - (v) Block: חטאת can all be voluntarily brought, unlike אשם
 - ii Answer (רבא): v. 3 – all קרבנות are compared to שלמים
 - 1 Challenge: why compare to שלמים (lenient); compare to חטאת (constricted)?
 - (a) Answer: v. 2 is exclusive to חטאת
- III Analysis #2: ר' הונא, ר' ששת, ר' נחמן joined by ר' הונא
- a ר' הונא: why didn't ר"א answer that אשם does come לאחר מיתה as a ריצוי? (animal, once blemished, is redeemed)
 - i ר' הונא: the animal isn't brought לאחר מיתה, rather its proceeds are brought – which may even happen with חטאת
 - 1 Case: if someone designated two animals as חטאת for guarantee (לאחריות) and used one properly
 - 2 And: nonetheless, it isn't brought, as it is excluded via "הוא" (v. 2)
 - (a) Challenge: אשם also is defined as אשם (v. 4)
 - (i) Block: that is a reference to the status after אימורין (see ahead :t)
 - (b) However: use of הוא here is for a different purpose – to teach that only an אשם that was redirected to graze, if slaughtered סתם, is כשר; otherwise, it maintains its identity as אשם – as it is הוא (as is)

- IV Analysis #3: ר' נחמן, ר' ששת: ר' אשי joined by ר' אדא בר מתנה, later joined by ר' אשי
- a ר"ש ור"נ why didn't ר"ל respond to ר"א that אשם should be brought and be מרצה – even posthumously
- i Challenge (ר' אדא בר מתנה): the יולדת gave birth – not her heirs!
- 1 Block (ר' אשי): even יולדת herself has some מצוות עשה that the עולה expiates – so do the יורשים
 - 2 Challenge; this implies that they take ownership;
 - (a) But: ר' יוחנן ruled that if two brothers inherit a מנחה, it may be brought and doesn't have the deficiency of מנחת שותפין (which is invalid, per v. 5)
 - 3 Challenge: now we assume that the יורש doesn't take possession
 - (a) However: ר' יוחנן ruled that if a man left an animal to his two sons it is brought
 - (i) However: they are not empowered to make תמורה
 1. Proving: that they own it; cannot be ממיר as שותפין
 - (ii) But: if they didn't own it, they could be ממיר, as the holders of a single-owned קרבן
 - (iii) Defense: v. 6 is interpreted as allowing for יורש (even though he doesn't own it) to be ממיר, but only a single יורש
 1. Challenge: if wording of v. 6 limits power to act to single holder, why isn't מעשר similarly limited, per parallel wording in v. 7?
 - a. Answer: in that case, even if father were alive, partners could redeem מעשר
 - (b) Challenge (ר' אשי לר' אשי): this itself proves our point – that he must own it, as ר' יוחנן ruled that only the מתכפר may do תמורה (and the מתכפר by definition is the owner), per his dictum:
 - (i) מקדיש: is the only one who must add 1/5th for redemption
 - (ii) מתכפר: is the only one empowered to ממיר
 - (iii) תרומה משלו על של חברו: is the one with the say-so of which כהן gets the תרומה
 1. Answer: he does get some "light" כפרה, but not the essential כפרה for which this animal was originally designated