

28.1.10

11b (לא אמרה אלא לחדד בה תלמידיו) → 13a (משנה ג')

1. והיה לכם למשמרת עד ארבעה עשר יום לחדש הזה ושחטו אתו כל קהל עדת ישראל בין הערבים: שמות יב:  
 2. את הכבש האחד תעשה בבקר ואת הכבש השני תעשה בין הערבים: שמות כט:ט  
 3. ובהגלת אהרן את הנרת בין הערבים יקטירנה קטרת תמיד לפני ה' לדרתיקם: שמות ל:ח  
 4. באהל מועד מחוץ לפרכת אשר על העדת יערך אתו אהרן ובניו מערב עד בקר לפני ה' חקת עולם לדרתם מאת בני ישראל: שמות כז:כא  
 5. כי אם אל המקום אשר יבחר ה' אלהיך לשכון שמו שם תזבח את הפסח בערב כבוא השמש מועד צאתן ממצרים: דברים טז:  
 6. שור או קשב או עז כי יולד והיה שבעת ימים תחת אמו ומיום השמיני והלאה ירצה לקרבן אשה לה: ויקרא כב:כז  
 7. והקרב והקרעים ירחץ במים והקריב הפהן את הכל והקטיר המזבחה עלה הוא אשה ריח ניחוח לה: ויקרא א:יג

- I 'status of פסח (שלא לשמו) during the morning of the 14<sup>th</sup>
- a valid (as שלמים), just as if it were the 13<sup>th</sup>
  - b invalid, just as if it were slaughtered in the afternoon (זמנו)
  - c Addendum: ראש סנהדרין ר"א was invested as ראב"ע on the day that 72 elders testified from בני עזאי:
    - i All: eaten זבחים (i.e. not עולה) slaughtered לשמן are valid but don't count for owners, except for וחסאת פסח
      - 1 Note: he only extended ת"ק's position by adding עולה – but חכמים didn't accept his testimony
      - 2 Note: he mentioned "72 elders" because testimony was unanimous
- II Analysis:
- a ר' אושעיא holds that a פסח brought in the morning of the 14<sup>th</sup> is fully proper
    - i And: the wording "as if he brought it in the afternoon" is meant to respond to ר' יהושע "as if (it was the 13<sup>th</sup>)"
    - ii Challenge: let them disagree about this fundamental issue – whether the 14<sup>th</sup> in the morning is a valid time
    - iii Answer: if they disagreed there, ר' יהושע that סד"א agrees that if brought then שלא לשמו – פסול; part of the day is fit
      - 1 Challenge: v. 1 stipulates that קרבן פסח be offered בין הערבים (which we assume means in the afternoon)
        - (a) Defense: בין הערבים may mean "from evening until evening" (24 hours)
        - (b) Challenge: based on this, the 2<sup>nd</sup> daily תמיד could be brought at any time! (v. 2)
          - (i) Defense: since v. 2 also commands a תמיד in the morning → בין הערבים there must mean "afternoon"
          - (ii) Challenge: perhaps in that case, one is in the morning, and the other can be at any time?
            - 1. Answer: אחד בבקר implies – only one in the morning
        - (c) Challenge: the מנורה, in that case, should be valid to be lit at any time (v. 3)
          - (i) Defense: v. 4 indicates מערב עד בקר → must be lit at end of day, as per דרשות on v. 4
        - (d) Challenge: the קטורת should then be able to be lit at any time (v. 3)
          - (i) Answer: קטורת is compared, by analogy (v. 3) to נרות
        - (e) Challenge: same phrase appears in re: פסח (v. 5) – שם תזבח את הפסח בערב –
          - (i) Answer: that is used to set its place in sequence – after בין הערבים
        - (f) Challenge: how could something נכשר in the morning be guided by principle of יאוחר דבר (it's latest)
          - (i) Answer: as per ר' יוחנן ruling about מנחה preceding מוסף if the זמן of both arrives
        - (g) Challenge: why then does the תורה use בין הערבים for נרות וקטורת?
        - (h) And: ר' אושעיא's answer on behalf of ר' יוחנן – none of 13<sup>th</sup> is "fit"; but part of 14<sup>th</sup> (afternoon) is fit
          - (i) But: if ר' אושעיא were right, he should have argued that the entire day of 14<sup>th</sup> is fit; rather...
  - b ר' יוחנן would invalidate any קרבן פסח offered in morning of 14<sup>th</sup>; לשמו or not לשמו, since part of the day is "fit"
    - i ר' אבהו rejected this: in that case, according to ר' יוחנן, there is no way to ever have a פסח נכשר
      - 1 If: he designates the פסח in the morning, it's currently נדחה (cannot be brought as any קרבן) – מעיקרא (קרוב) – דחוי מעיקרא
      - 2 And if: he designated it beforehand, it is נראה ונדחה – which cannot be נראה
      - 3 Answer (ר' אבהו): if he designated it during the זמן (in the afternoon) – it would be valid
        - (a) Extension (אביי): even if הפריש בבקר, we do not consider a time-lag during the same day to be זמן מחוסר זמן
        - (b) Extension (ר' פ): even if he designated the night before, time-lag from then is not זמן מחוסר זמן
          - (i) Per: rulings of ר' שמעאל and ר' אפטוריקי re: מעשר בהמה on 7<sup>th</sup> night/8<sup>th</sup> day (v. 6)
    - ii ר' יוחנן shall we say that ר' יוחנן holds that בעלי חיים נדחין (i.e. an animal can be נדחה while alive)
      - 1 Answer: yes, per his ruling – a coowned animal which one ½-owner was מקדיש, who then bought the other and was מקדיש the second half is fully קדוש but cannot be brought, can generate a תמורה, which is like it
        - (a) Implications:
          - (i) בעלי חיים נדחים: there is דחוי for a live animal
          - (ii) דחוי מעיקרא הוא דחוי: if unfit from the beginning, this is considered דחוי
          - (iii) יש דחוי בדמים: even though it never had קדושת הגוף דחוי still applies

- iii 2 rulings of יוחנן ר' relating to דחוי
- 1 If: he ate חלב, was מפריש חטאת, became an apostate, returned – cannot bring קרבן; as it was נדחה
  - 2 If: he ate חלב, was מפריש חטאת, became an imbecile, recovered – cannot bring קרבן; as it was נדחה
    - (a) Justification:
      - (i) If: we only had first case, א"ס invalid since he was מדחה by volition
        1. But: in 2<sup>nd</sup> case (שוטה) where his "pushing away" קרבן was involuntary, א"ס it would be נראה
      - (ii) And if: we only had 2<sup>nd</sup> case, א"ס since he doesn't control his own תשובה –
        1. But: in 1<sup>st</sup> case (מומר), where his pushing away קרבן was under his control – א"ס it would be נראה
  - 3 Question (ר' ירמיה): if he ate חלב, designated a קרבן, then הגדול ב"ד ruled that חלב was permitted, then they retracted the ruling – is his קרבן considered נדחה?
    - (a) Answer: יוחנן ר' used to begin his discussions of דחויין with this case – and it is certainly נדחה
      - (i) Reason: in other cases (שוטה, מומר), only the man was נדחה; here, both the man and קרבן were נדחה
- III Analysis of עזאי בן עזאי's addition (of עולה) to list
- a Source: v. 7 – עולה היא –
    - i Challenge: in re: אשם, also states אשם הוא
    - ii Answer: that is written in re: after הקטרת אימורין
      - 1 Block: v. 7 is also after הקטרת אימורין
      - 2 Answer: there are two occasions of היא in re: עולה
        - (a) Retort: there are two occasions of היא in re: אשם, rather...
  - b Source (ר' הונא) – ק"ו –
    - i If: חטאת, which is not כליל לה, is invalid if slaughtered שלא לשמה
    - ii Then: certainly עולה, which is כליל לה, should be פסול if slaughtered נזבח שלא לשמו
      - 1 Challenge: חטאת achieves atonement
        - (a) Response: פסח disproves that correlation
      - 2 Challenge: פסח is unique in that it has a set time
        - (a) Response: חטאת disproves that correlation
      - 3 Common denominator: they are קדשים and if slaughtered שלא לשמן, invalid
        - (a) Application: עולה is also קדשים → if slaughtered שלא לשמו, should be invalid
          - (i) Block: there is an exclusive common denominator – both חטאת and פסח have a כרת-connection
          - (ii) Defense: עזאי בן עזאי doesn't see that as significant
        - (b) Question: based on this השווה צד, why doesn't עזאי בן עזאי include אשם as well?
          - (i) Answer: he has a different השווה צד which excludes אשם – both פסח וחטאת are/can be קרבן צבור
          - (ii) Or: he really does accept צד כרת as a חומר-קל-breaker, has עולה as a tradition
            1. And: ר' הונא, who presented the ק"ו, was only testing the students