

28.9.2; 84a (משנה ב) → 85b (אבל אסיפא לאו בני הקטרה ניהו)

1. צו את אהרן ואת בניו לאמר זאת תורת העולה על מוקדה על המזבח כל הלילה עד הבקר ואש המזבח תוקד בו: ויקרא ו, ב.  
 2. והפשיט את העולה ונתח אתה לנתחיה: ויקרא א, ו.  
 3. וכי תגשון עגור לזבח אין רע וכי תגישו פסח וחלה אין רע הקריבהו נא לפתחהו היצד או הישא פניו אמר ה' צבאות: מלאכי א, ח.

- I 'ב משנה: list of those offerings which do not come down – and the exceptions
- a פסולן בקודש: (consensus) אם עלו לא ירדו
- i לן if it lapsed overnight
- ii טמא if the meat became טמא
- iii יוצא if it went out of its precinct
- iv גשחט במחשבת חוץ if either זמנו חוץ למקומו or מחשבת חוץ לזמנו
- v זרה"ד or קבלת הדם (viz. ב:א) if פסולים פסולים
- b disputed cases (יהודה ר' go down ר' stay up)
- i לילה if it was נשחט after sunset
- ii גשפך if the blood spilled out
- iii יוצא if the דם went out of the עזרה
- 1 rule – if the פסול was in the קודש, the "קודש" (מזבח) accepts it
- iv background of their dispute:
- 1 ר' sees three exclusionary words in v. 1- העולה היא, זאת, – excluding these three
- 2 ר' sees תורת העולה as all-encompassing, including these (plus other פסולים – if דם is put in wrong locus [in/out, up/down] or פסח וחטאת that were לשמן שלא נשחט)
- (a) however: he agrees that זאת is מעוט – excludes the agreed-upon exclusions (above)
- (b) reason for distinction: פסולן בקודש or before
- 3 ר' infers אם עלו לא ירדו from series of "מיגו" arguments – e.g. since לן is acceptable for בשר, it is valid for etc. לא ירד → עבודת צבור is valid for טמא; לא ירד → במה is valid for יוצא; דם → אימורין
- (a) challenge: can we infer from a proper case to an improper one?
- (b) answer: the תנא is really relying on תורת העולה (as רבוי)
- II 'ג משנה: list of those מזבח פסולי that had their פסול before the קודש → all agree they go down if put up
- a רובע, נרבע, מוקצה, עעבד, אתנן, מחיר, כלאים, טריפה, יוצא דופן: "9" the
- b disputed "10<sup>th</sup>": בעל מום
- i ר' remains up
- 1 ר' only applies to (e.g.) דוקין שבעין – which are not considered מום for birds
- 2 and: only where the מום came after the הקדש
- (a) and: ר' agrees that an עולת נקבה comes down – the "מום" (נקבות) came before the הקדש in any case
- ii חכמים goes down (supported by ר' חנינא סגן הכהנים report from his father)
- 1 comment: ר' חנינא's report may just be support, or may teach that it was put down "discreetly"
- III 'ד משנה: two extended rules of אם עלו לא ירדו
- a limitation: though if they go up, they remain up, if they fall off, they aren't re-elevated
- b exception: any of these that goes up alive, is taken down
- i however: if an עולה (which should be taken down) is נשחט atop the מזבח, הפשט ונתוח are performed there
- IV spinoff (ר' יוחנן): even to ר"י – if one slaughters בפנים בלילה, if he then offers it outside – חייב (as "proper" קרבן)
- a argument: shouldn't be less liable than שוחט בחוץ (which, if he is then מעלה בחוץ – generates חיוב)
- i challenge (ר' חייא בר אבין): if someone performs שחיטה on a bird inside and is מעלה בחוץ – פטור
- ii and: should be no worse than שוחט בחוץ – (תיבתא)
- 1 possible defense: שחיטת העוף inside isn't proper "slaughter", unlike שחיטת בהמה בלילה
- V spinoff (עולא): קדשים קלים of אימורים (עולא) which were put off before זרה"ד are not brought down
- a support (ר' זירא): אם עלה לא ירד – if the דם was spilled or went out – אם עלה לא ירד (according to ר"ש)
- b ל' if that קרבן, which can no longer have זרה"ד, stays up, certainly here it stays up
- i block: perhaps that ruling in our משנה is only re: קדק"ד (which have מעילה immediately)
- 1 challenge: פסח is also mentioned in our משנה – it is קדשים קלים
- 2 answer: that passage is only re: שלא לשמן (not שנספך דמה etc.)
- c support: ruling in our (ד) משנה that any of them that went up alive are brought down → נשחטו if left up (קדק"ד or קדק"ל)
- i block: perhaps inference is just that some שחוטין remain up, others (e.g. אימורין קדשים קלים לפני זרה"ד) come down
- ii challenge: text stays כולם, implying that all שחוטין remain up

- 1 *defense*: כולם refers only to חיינ (that they all come down)
  - 2 *challenge*: that is obvious
    - (a) *defense*: it is in reference to a "light מום" according to ר"ע
      - (i) *explanation*: since this one is נפסל מחיים, we might think that if put up alive, remains there – קמ"ל
      - (b) *challenge*: setting the חיינ-clause as referring to פסולים is difficult in light of the end of ' משנה ד'
        - (i) *explanation*: v. 2 rejects עולה פסולה from נתוח
        - (c) *answer*: that case is indeed referring to a כשרה, teaching that הפשט ונתוח may be performed atop מזבח
          - (i) *challenge*: according to מ"ד that it may not be performed there, how can our משנה be explained?
          - (ii) *answer*: case is where it was once fit but then נפסל (after שחיטה בראש המזבח and זרה"ד)
            1. *according to*: ר"אב"ש – once the דם was נזרק and there was even a moment of רצוי – it should be flayed and the pelt goes to the כהנים
            2. *challenge*: תוספתא ט:ט – in such a case, he brings the innards down and washes them
              - a. *explanation*: if it is פסול, what is the purpose behind washing them?
                - i. *question*: why ask – after all, they cannot be offered like that (per v. 3)
                - b. *answer*: our question cuts to the concern that if a כהן sees them and doesn't know their status, he may mistakenly bring them up
                - c. *therefore*: it teaches that in spite of that concern (which may "trip up" the כהנים) we are more concerned with keeping קדשי שמים from lying around in a degraded state
- d *versions (of discussion involving יוחנן*):
  - i *version*: ר' יוחנן asked whether קדשים קלים that were put up before זרה"ד come down
    - 1 *מעילה* (לר' יוחנן) ד. why not ask about מעילה
      - (a) *answer*: מעילה is obviously not yet in play, as זרה"ד generates חיוב מעילה for קלים קדשים
    - 2 *conclusion* (לר' יוחנן): אם עלו לא ירדו – nonetheless, מעילה does not obtain
  - ii *version2* (לר' יוחנן): ר' יוחנן asked whether מעילה applies to קלים קדשים put up before זרה"ד
    - 1 *מעילה* (לר' יוחנן) ד. why not ask about bringing them down?
      - (a) *answer*: that is obvious – they are the "food of the מזבח" and remain
    - 2 *conclusion* (לר' יוחנן): אם עלו לא ירדו – nonetheless, מעילה does not obtain
- VI *spinoff from ר"ע's position on בעלי מומין* he permits (per ר' יוחנן, above) "light" מום בעלי מומין which are not מומים for birds
  - a *עופות* ד. is רבוע an "invalidating act" for עופות?
    - i *lemma1*: מן הבהמה (which is the source – ולא כל בהמה, excluding רובע ונרבע) – perhaps only a type which could be רובע (impossible with birds) could be נרבע → כשר
    - ii *lemma2*: it was used for illicit purposes → פסול
    - iii *answer* (לר' יוחנן): according to ר"ע's explanation of ר"ע, he should then permit רובע ונרבע (to be left up), since that "מום" doesn't apply to birds → it does apply to birds
      - 1 *support* (לר' יוחנן): תוספתא זבחים ז:בב – list of those which are אבית הבליעה and רובע ונרבע are listed there
- VII *analysis of ' משנה ד' – if any of these fall off, they are not put back*
  - a *exception* (עולא): if they were not enflamed by המערכה; but if they were, they are restored (belong to מזבח)
    - i *note*: ר' מרי saw this comment as being about the רישא (our משנה)
    - ii *but*: ר' חנינא מסורא saw this comment as being about the סיפא (משנה ה' –page 68) – bones, sinews, horns and talons – if they are connected to the meat, they go up; if they separated from the meat – are not brought up
      - 1 *עולא*: only remain below if never enflamed – but if האור בהן, put back up.
    - iii *note*: the one who reads his caveat about הסיפא, will certainly apply it to רישא, as those are 'burnables'
      - 1 *but*: ר' מרי would not apply it to הסיפא, as those parts are not בני הקטרה and don't belong to מזבח (without בשר)