

פרק שגיני – פרק התערובות

Until here, the מסכת has focused on the proper procedure for each of the קרבנות and those actions and intents that may invalidate. This פרק, as seen from its cognomen, deals with the results of תערובות – mixture of valid and invalid קרבנות, mixture of קדשים/חולין and תערובות of other איסור והיתר 28.8.1

70b (משנה א') → 73a (ולא בטלי)

- I 'משנה א': mixture of קדשים with animals that are slated to die
- a *if*: קדשים got mixed with חטאות מתות or שור הנסקל – all must die – even if there are many קדשים and one “problem”
 - b *but if*: קדשים got mixed in with מזבח פסולי, we have each graze until it develops a מום, is redeemed
 - i *then*: the owner brings a קרבן from the same type, as of the value of the nicest (most expensive) one in the lot
 - ii *the list*:
 - 1 used for עבירה (may be a topic statement on list or refer specifically to bestiality)
 - 2 killed a person – but there's only one witness (or the owner admitted to it);
 - 3 רובע ורובע – used for bestiality
 - 4 נעבד (עבודה זרה מוקצה (was worshipped)
 - 5 מחיר (כלב) or אתנן (זונה)
 - 6 טריפה (had a mortal wound) כלאים (a “hybrid” animal) and יוצא דופן (was born via “C” section)
 - c *and if*: the קדשים got mixed with חולין (without מום), sell them to people who need that type for קרבן
- II 'משנה ב': mixture of קדשים with other קדשים
- a *If*: קדשים got mixed with other קדשים
 - i *If*: they are both the same type of קרבן (e.g. עולה – but of different owners) – each should be brought for one donor
 - ii *But if*: they are of different types (i.e. same animal, different קרבנות)
 - 1 *Then*: they must be allowed to graze and each one is redeemed when it becomes permanently blemished
 - 2 *Then*: owner brings each of these קרבנות @ value of the greater of the two – the differential made up by him
 - 3 *If*: they get mixed in with בכור or מעשר בהמה, once redeemed, must be eaten as בכור (or מעשר)
 - (a) *Meaning*: can't be sold, weighed etc. per א: ה בכורות
 - iii *Note*: any חטאות could theoretically get mixed except for חטאת and אשם
 - 1 *Reason*: אשם is only a ram; the only sheep used for חטאת are ewes
- III Analysis:
- a *Challenge* (to 'משנה א'): already taught (תמורה ו:א) – anything that is אסור למזבח prohibits (a mixture) בכל שהוא
 - b *Answer*: that משנה only teaches that the mixture is אסור למזבח – not for personal use (for that, we'd assume ברוב ביטול)
 - i *And*: if we only had our משנה, we'd limit it to איסורי הנאה (i.e. חטאות מתות and שור הנסקל)
 - ii *Challenge*: our משנה also teaches מזבח פסולי (e.g. אתנן)
 - 1 *Answer*: but in that part of the משנה, no שיעור is given – כל שהוא is only stated in ו:א
 - 2 *Challenge*: why not learn תמורה only – no need for (that part of) our משנה
 - (a) *Answer*: our משנה needed for the solution (let it graze etc.)
 - iii *Challenge*: the איסור תערובות affecting mundane use is also taught elsewhere (ע"ז ה:ט)
 - 1 *Justification*: if we only had ע"ז משנה, we would have assumed that איסור בכ"ש only applies to mundane
 - (a) *But*: for קדשים, we don't want to lose them all – allow ברוב ביטול
 - 2 *And*: if we only had our משנה, we'd have assumed that איסור כ"ש applies only to קדשים – due to sanctity
 - (a) *But*: that doesn't apply to חולין and they should be ברוב בטל
 - (b) *Question*: why, indeed, aren't the animals that are אסור בהנאה – why aren't they ברוב בטל?
 - (i) *If*: suggest that it is because they are significant and sometimes sold by count
 1. *Then*: that is only valid argument for ר"ל, who says that ר"מ's ruling (ע"ז ג:ו) is anything that is sometimes sold by count (כל שדרכו לימנות) is never בטל (re: ע"ז ה: or הכרם)
 2. *But*: according to ר"י יוחנן, who reads that that ruling is limited to שדרכו לימנות את (always sold by count) – doesn't answer בהמה, which is sometimes sold as a group (flock)
 - (c) *Answer* (ר"פ): our תנא is the תנא of “ליטרא קציעות”, who rules that anything that is sometimes sold by count – even if an איסור דרבנן – is never בטל – certainly if it is an איסור דאורייתא
 - (i) *Case*: if he pressed a ליטרא of תרומה dried figs in a press or hive or barrel and forgot which press etc.
 1. ר"מ holds that ר"א allows ביטול within press; ר' יהושע demands 100 times as many presses
 2. ר"י holds that ר"א demands 100 times as many presses; ר' יהושע doesn't allow for ביטול at all
 - (d) *Answer* (ר' אשי): can't compare בהמות to פירות etc. – בהמות are independently significant and not בטל