

28.8.4; 75b (משנה ג) → 77a (אימרי בדיכרי מוחלפי לך) (מאמר ג)

1. ... כי כל שאר וְכָל דָּבַשׁ לֹא תִקְטְרוּ מִמֶּנּוּ אִשָּׁה לֵה': קָרְבַּן רֵאשִׁית תִּקְרִיבוּ אֹתָם לַה' וְאֵל הַמִּזְבֵּחַ לֹא יִגְלוּ לָרִיחַ נִיחֹחַ: וְיִקְרָא בִּי-אֵל-ב

- I קדשים mixing of various משנה ג'
- a If: an אשם and שלמים got mixed (while alive)
- i זכרי כהונה, בעזרה, עד חצות) אשם (both are eaten like slaughter both in north (מתנות) and both are eaten like ז"ש
- ii פסול קדשים we may not bring חכמים
- b If: pieces of בשר got mixed; קדשים קלים with שלמים (eaten for 2 days) with תודה (e.g.- eaten for 1)
- i Then: they are eaten within the more severe parameters
- II Backdoor סוגיא: diminishing parameters of קודש
- a תרומה (before רב) דמי שביעית may not be used to buy תנא
- i Reason: generates external limit to אכילת תרומה (must be consumed before original crop is completely harvested)
- b Students (before רבא) this cannot accommodate ר"ש's opinion (in our משנה before)
- c Rejection (רבא) ר"ש's opinion is only בדיעבד – he may not allow a diminishing of קדשים
- d Challenge (אבני) ר"ש's ruling that כהנים may prepare בשר קודש any way they like – even adding תרומה
- i Defense (רבא): the תרומה on spices is "only" דרבנן – not a concern if it's eating framework is limited
- e Challenge (אבני) contra חכמים who disallow buying תרומה with מע"ש ר"ש allows (לכתחילה) (may only be eaten in ים)
- i דבא: no response
- ii אבני: came to רב יוסף, who suggested that (in his first challenge) he should have challenged from this ruling:
- 1 Ruling: may not cook שביעית vegetables in שמן של תרומה - and ר"ש permits
- (a) אבני: thought reading was inverted, and ירק של תרומה is also דרבנן – no better than his own challenge)
- (b) דב יוסף: but reading is שמן של תרומה – which is מה"ת – for use with שביעית vegetables
- (c) אבני: had already challenged (#2) and his response was "it had already gotten mixed" – would answer same here
- (i) Challenge: if it were already mixed, why would רבנן disallow?
- (ii) Answer (אבני): just as they disallow bringing mixed אשם/שלמים as אשם
1. Challenge: the two are not alike; in that case, there is a solution (grazing etc.)
2. Therefore: our case is more similar to pieces getting mixed (where רבנן allow שבהן כחמור שבהן)
3. Challenge (רבנא): disanalogous; in case of "pieces", no solution at all; here, it could be squeezed
- a. Block: squeezing not an option; if all squeezed out, destroys שביעית, if not, still mixed
- f Challenge: in case of (פטור) ספק מוסגר (מחלף) ספק מוחלט (חייב בקרבן) ספק מוסגר –
- i ז"ש the next (8<sup>th</sup>) day, he brings אשם and שמן with condition:
- 1 If: he was מוחלט, this is his קרבן
- 2 If not: the קרבן is a שלמי נדבה
- (a) And: it requires all חומרות of אשם and שלמים and אכילת יום ולילה) שחיטת צפון, but חו"ש תנופת חו"ש (נסכים, נסכים, תנופת חו"ש)
- ii Answer: in case of "repairing" (כפרה) ר"ש allows even לכתחילה (no other solution for him)
- iii Challenge: how do we account for לוג שמן?
- 1 Answer: brought as (conditional) נדבה
- 2 Challenge: (if he's not a מצורע) – requires קמיצה (inferred from מנחה)
- (a) Answer: we do קמיצה
- (b) Challenge: (if he is a מצורע) – he requires 7 מתנות from that שמן (Answer: we do that as well)
- (i) Challenge: then it is incomplete (Answer: we may bring more, per יד: נגעים)
1. Challenge: requires הקטרה (Answer: we perform הקטרה)
- a. Challenge: whenever we perform הקטרה (before or after מתנות) it is problematic
- b. Reason: if put up afterwards, violation of לאשים (per v. 1)
- i. Answer: put up as fuel, per ר"א's read of v. 1
2. Challenge: the bit that we added wasn't included in the קומץ
- a. Answer: we (eventually) redeem it from קדש
- i. Challenge: whenever we redeem it, it is problematic (if outside – יוצא; if in – בעזרה)
- ii. Answer: we redeem inside – חולין בעזרה is only a problem if brought in as such
- iv challenge: ר"ש ruled that we may not bring שמן as a נדבה (answer: to give him כפרה, he allows)
- v question: why don't we allow him to bring it on condition – if not מצורע, it is an אשם תלוי
- 1 suggestion (by student): ר"ש must be the תנא who disagrees with ר"א, disallowing a voluntary אשם תלוי
- (a) rejection: this is a wrong inference – one is yearling – אשם מצורע – whereas אשם תלוי is a 2-year old