

פרק ארבעה עשר – פרת חטאת

This final chapter completes the issue of **שחוי חוץ** – identifying the contexts of liability and exemption. The editors presented the entire chapter of **משניות** before any **גמרא**, but, unlike other chapters of **ש"ס** presented like this (e.g. **שבועות א**, **סנהדרין א**, **שבועות א**), the **משניות** are modular; as such, we will assay each in order, studying the **משנה** and its attendant **גמרא**.

28.14.1

112a (משנה א) → 113b (כאן לאחר וידוי)

<p>1. וְאֵל פֶּתַח אֹהֶל מוֹעֵד לֹא הִבְיֵאוּ לְהַקְרִיב קֶרְבָּן לָהּ לִפְנֵי מִשְׁכַּן ה' דָּם יִחֻשֵׁב לְאִישׁ הוּא דָם שָׁפַךְ וְנִכְרַת הָאִישׁ הוּא מִקְרָב עִמּוֹ: וַיִּקְרָא יז, ד</p> <p>2. וְנִתְתַם אֹתָהּ אֶל אֶלְעָזָר הַכֹּהֵן וְהוֹצִיא אֹתָהּ אֶל מִחוּץ לַמִּחְנֶה וְשָׁחַט אֹתָהּ לִפְנֵי: בַּמִּדְבָּר יט, ג</p> <p>3. לְקַח אֶלְעָזָר הַכֹּהֵן מִדָּמָה בְּאֶצְבָּעוֹ וְהֵזָה אֶל זֶכֶח פְּנֵי אֹהֶל מוֹעֵד מִדָּמָה שִׁבְעַ פְּעָמִים: בַּמִּדְבָּר יט, ד</p> <p>4. וְשָׂרַף אֶת הַפָּרָה לְעֵינָיו אֶת עֵרָה וְאֶת בְּשָׂרָהּ וְאֶת דָּמָה עַל פְּרִשָׁה יִשְׂרָף: בַּמִּדְבָּר יט, ה</p> <p>5. בֵּן אָדָם אָמַר לָהּ אֵת אֶרֶץ לֹא מִטְהַרָה הִיא לֹא גִשְׁמָה בְּיוֹם זָעַם: יִחְזַקָּאל כב, כד</p> <p>6. כָּל אֲשֶׁר נִשְׁמַת רוּחַ חַיִּים בְּאֶפְרוֹ מִכָּל אֲשֶׁר בְּחֶרְבָּה מֵתוֹ: בְּרֵאשִׁית ז, כב</p> <p>7. וַיִּזְכֹּר אֱלֹהִים אֶת נֹחַ וְאֶת כָּל הַחַיָּה וְאֶת כָּל הַבְּהֵמָה אֲשֶׁר אִתּוֹ בַּתִּבְיָה וַיַּעֲבֵר אֱלֹהִים רוּחַ עַל הָאָרֶץ וַיִּשְׁפּוּ הַמַּיִם: בְּרֵאשִׁית ח, א</p> <p>8. וַיִּתְּלוּ אֶת הַמֶּן עַל הָעֵץ אֲשֶׁר הָכִינוּ לְמִרְדְּכָי וְחַמַּת הַמְּלֶכֶד שְׂכָכָה: אֶסְתֵּר ז, י</p> <p>9. וְנִקְרַב אֶת קֶרְבָּן ה' אִישׁ אֲשֶׁר מִצָּא כְּלֵי זָהָב אֲצִעְדָה וְצִמִּיד טַבַּעַת עֲגִיל וְכוּמָז לְכַפֵּר עַל נַפְשֵׁתֵינוּ לִפְנֵי ה': בַּמִּדְבָּר לא, ג</p>
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I 'א' exemption for burning אדומה פרה אושעיא or offering outside

a Source: v. 1 – neither of these is fit to come to מועד → exempt

i Analysis of language: חוץ מגתה

- 1 ל"ל: there was a place where they burned the פרה אדומה that had been checked to ensure no תהום
- 2 Challenge (ר' יוחנן): all of א"י is "בדוק"; rather חוץ מגתה means if he slaughtered it inside the city walls
 - (a) Question: why doesn't he just set it as having been slaughtered outside, but not facing פתח ההיכל
 - (i) Per: ר' אב"א – juxtaposition of v. 2 (שחיטה) and v. 3 (הזאה) – must be הפתח (v. 3)
 - (ii) And: ר' יוחנן accepts this היקש, per his ruling about שריפה (juxtaposition of vv. 3-4)
 1. Contra: ר' אושעיא who allows for burning anywhere (outside), per פרשה (v. 4) – wherever it dies...
 - (b) Answer: he is teaching a less obvious פטור – we would think that since inside the city is closer, he might agree that it is valid therefore he teaches that even inside the city walls is considered חוץ מגתה

ii Tangent - analysis of dispute ר"ל/ר"י about status of א"י: whether it is all בדוק (ר"י) or needs to be checked (ר"ל)

- 1 Dispute: whether the מבול affected א"י; based on reading v. 5 – is the 1st part תמיהה (ר"י) or declarative (ר"ל)
- 2 Challenge (ר"ל לר"י): description of painstaking details of keeping area טהור for חטאת
 - (a) Answer: that was a supererogatory step taken for פרה
- 3 Challenge (ר"י לר"ל): story of ירושלים' refusal to declare טמא – "where are מבול מתי מבול"
 - (a) Answer: just as מבול מתי were real – but were moved; same with מבול מתי
 - (i) Question: if they were reentered, why the טומאה?
 - (ii) Answer: they were removed from ירושלים, not from all of א"י
 - (b) Version: ר"ל challenged ר"י – doesn't ירושלים' statement prove that מבול מתי were real?
 - (i) Defense: each is interpreted independently; these were moved, the others were never there
- 4 Challenge (ר"ל לר"י): v. 6 – everyone died (even in א"י) – must be from מבול
 - (a) Defense: they died from the excessive heat per חסדא ר'ר' homily (vv. 7-8)
 - (b) Version: ר"ל challenged ר"י with v. 6 – why חרבה if it was flooded?
 - (i) Answer: it was originally חרבה, called that to teach, per ר"ח, that the fish weren't killed
- 5 Aggadic tangent: survival of huge antelope (oryx) and the תיבה
- 6 Note: according to ר"ל, there should still be no remains in א"י, per מצולה (or שנער) –
 - (a) Answer: some remains were nonetheless stuck there and stayed in Land
- 7 Aggadic tangent: about the land of בבל, filled with remains of ancestors
 - (a) Alternative דרשה שנער – upturns its wealthy – no more than 3 generations of wealth there

b Analysis of 2nd clause: שעייר המשתלח

i Challenge (to משנה, excluding per א"מ): (אל פתח א"מ) excluding ברייתא: בדק הבית in spite of common use of קרבן (vv.1, 9)

- 1 But: שעייר המשתלח is not excluded due to פתח א"מ (as it does come there), but from לה' – not offered to ה'
- 2 Resolution: before הגרלה – excluded due to לה'; afterwards – due to a lack of א"מ
 - (a) Challenge: even after הגרלה, it remains inside until ידויו
 - (b) Rather: until ידויו, excluded due to לה'; after ידויו, it is no longer fit for א"מ
 - (i) (note: before הגרלה, should be חייב, as it is potentially fit for ה' – תוספות)