

29.8.3

79b (משנה ד) → 81a (ליקום ולינדור בתחילה)

Note: our *invokies* the famous 5 "חטאות סוגיא", which are בעליה או מתו בעליה (2), חטאת שנתכפרו או מתו בעליה (2), חטאת שנתכפרו או מתו בעליה (2), חטאת שנתכפרו או מתו בעליה (2), חטאת שנתכפרו או מתו בעליה (2). In all of these cases, the חטאת is killed; there may be 1 or 2 cases where the חטאת is allowed to graze until it gets a blemished and is נפדה

1. אם על תודה יקריבנו והקריב על זבח התודה חלות מצות בלולת בשמן ורקיקי מצות משחים בשמן וסלת מרבכת חלת בלולת בשמן: ויקרא ז, יב  
 2. ידיו תביאנה את אשי ה' את החלב על החזה יביאנו את החזה להניף אתו תנופה לפני ה': ויקרא ז, ל  
 3. טוב אשר לא תדר משתדור ולא תשלם: קהלת ה, ד

- I 27 משנה ד: 3 "sub-תודות" that are offered without לחם
- a If: he set aside a תודה and it got lost and he designated a replacement – then found the original
  - b If: the תודה gave birth (but had been pregnant at time of הקדש)
  - c If: he (violated the law) and effected תמורה
  - d Per: v. 1 – only התודה requires לחם, not its "seconds"
- II תא: interpreting v. 1:
- a התודה → if he got a substitute תודה (for אבודה) and lost one was found, may offer either w/לחם
    - i But: יקריבנו indicates that he may only offer לחם with one of them
    - ii Note: תודה is inclusive, התודה exclusive (for לחם)
  - b ר' יוחנן's report: only applies (if found) after כפרה, but if before, requires bread
    - i Question (ר' עמרם): cannot refer to חליפי תודה which is obligatory ("עלי תודה")
      - 1 Reason: both scenarios covered in our משנה
      - 2 Cannot refer: to substitute for תודת נדבה (זר) – in either case, must bring bread (both are full תודות)
      - 3 Cannot refer: to the baby of תודת נדבה – in either case, no bread, as it is מותר תודה
      - 4 Must refer: to baby of תודת חובה (treated like the "lost" תודה that was found)
        - (a) Reason: ר' יוחנן holds that a person may gain כפרה via the profit of הקדש (the baby born after הקדש)
        - (b) Support: ר' יוחנן מימרא אביי came to same resolution, explicit מימרא אביי supports this position
- III שמואל's equation: associating "unusable" חטאות with "surplus" תודות
- a Rule1: any circumstance where the חטאת is killed (see note) in parallel case, תודה is brought without bread
  - b Rule2: any circumstance where the חטאת would be allowed to graze (and redeemed after מום) – תודה brought with לחם
    - i Challenge (ר' עמרם): above-cited תא (on v. 1) – indicates that "replacement" comes with לחם
      - 1 But: parallel case "grazes", per חכמים (if original found before substitute offered) – *contra* רבי
      - 2 Answer: שמואל follows רבי, that even in this case it is killed, as long as it was lost when 2<sup>nd</sup> was designated
        - (a) Question: in what case does רבי mandate grazing?
        - (b) Answer: in case he originally set aside 2 animals, one for backup (which then grazes until a blemish...)
          - (i) But: in parallel case to that, תודה comes without לחם
      - 3 Answer: שמואל follows ר"ש, who doesn't allow for grazing at all
      - 4 Challenge: שמואל set both up (rules #1 and #2), including grazing
        - (a) Answer: שמואל only said rule #1 (rule #2 was an errant report)
          - (i) Teaching: against יוחנן, ר' יוחנן, that the וולד may not be used for essential כפרה (בשבח הקדש) (אין מתכפר בשבח הקדש)
- IV Miscellany regarding liability for תודה
- a אבא ד: if he identified תודה and its לחם as נדבה, if the bread is lost, he brings in lieu; if תודה is lost, no liability
    - i Reason: bread is brought on account of the תודה, not vice-versa
  - b זבא: if he set aside money for his תודה and there was surplus, he may use it for the לחם
    - i But: if he set aside money for the לחם and there was a surplus, he may not use it for the תודה
    - ii Reason: per כהנא ר' – bread is called "תודה" (v. 1), but תודה is not called "לחם"
  - c זבא: if he designated a תודה, it was lost, then he designated a substitute and it was lost, designated a third and then the lost ones returned and all three are there
    - i If: he used the 2<sup>nd</sup> one, 1<sup>st</sup> and 3<sup>rd</sup> are brought without bread
      - 1 Reason: 2<sup>nd</sup>'s bread "covers" the 1<sup>st</sup> – and 3<sup>rd</sup> was a substitute for the 2<sup>nd</sup>
    - ii However: if he used either the original or final designee, the other of those two require לחם
      - 1 Reason: 3<sup>rd</sup> was a substitute for #2, not #1
    - iii Dissent (אבוי): any of them "exempts" the other two from לחם
      - 1 Reason: all are substitutes for the 1<sup>st</sup> one

- d **זירא** (vis-à-vis חטאת): if he designated a חטאת, it was lost, he designated a substitute which then got lost and he designated a third – and all were found and all three were there
- i **If**: he used the 2<sup>nd</sup> one, both #1 and #3 die
  - ii **However**: if he used the 1<sup>st</sup> or 3<sup>rd</sup>, the 2<sup>nd</sup> would die but the other would graze (as above)
  - iii **Dissent (אבני)**: regardless of which one he offered, all are substitutes for 1<sup>st</sup> and other two die
- e **Note**: זירא's use of "וכן" (comparing תודות to חטאות) - in the case of חטאות, we can't reason that he wants to make more of them חטאות (unlike תודה, where we entertain possibility of מרבה בתודות) - קמ"ל that the positions are consistent
- V **חייא**'s case: if he made a תמורה of a תודה and one of them died and they were indistinguishable
- a **Ruling**: there is no solution – can't offer with bread (might be תמורה); can't offer without (might require לחם)
  - b **Challenge**: if he made a נדר ("עליו") – he can bring another with לחם, stipulating that if the standing one is the תמורה, this one is the "real" תודה with its לחם; if it is the תודה, the other is brought לאחריות and this is the bread of the principal
    - i **Answer**: חייא's ruling was only in the case of נדבה ("הרי זר")
  - c **Challenge (לוי לרבי)**: why not bring לחם and stipulate that if the animal is תמורה, the bread is חולין (and eat in ירושלים)
    - i **Rejection (רבי)**: we cannot bring חולין into the עזרה
  - d **Challenge (לוי)**: bring another animal with bread, stipulating that if principal is תמורה, this is the לחם ולחם; and if principal is תודה, this is its bread and the new animal is a שלמים
    - i **Rejection**: then he diminishes the permissible time for eating שלמים (per תודה – 1 day)
  - e **Challenge (לוי)**: bring animal and לחם; again stipulating that if principal is תמורה, this is the proper ולחם; and if the principal is תודה, this is its bread and the animal is מותר תודה
    - i **Rejection (רבי)**: we do not *ab initio* designate מותרות
  - f **Challenge (ר' יצחק בר מרתא ל"ג)**: why not bring animal and loaves, stipulating that if principal is תמורה, this is the proper ולחם; if principal is תודה, this animal is its תמורה
    - i **Rejection (ל"ג)**: making a תמורה is a violation incurring מכות – we're not going to engineer it as a solution
  - g **Proposal (students and אבני visiting עילא ר' יוחנן)**: if we accept ר' יוחנן, that the loaves may be outside of the עזרה (but in the city) at time of שחיטה, employ לוי's first challenge and bread won't be in עזרה as חולין
    - i **Rejection**: we need to wave the four תרומה-loaves לפני ה' (v. 2)
  - h **Proposal (ר' שישא בריה דרב אידי)**: if we accept חזקיה (*contra* ר' יוחנן) that if he brings 80 loaves, 40 may be sanctified, then he could bring another animal with 80, stipulating that the animal is a תודה; if principal is a תודה as well, here are 80 loaves for the two; if not, only 40 of them are sanctified
    - i **Rejection**: he is thereby limiting the scope of permissible eating of the other 40 (which may be חולין)
  - i **Suggestion (ר' אשי לר' כהנא)**: if we accept ר' יוחנן's ruling that if he designated a חטאת that was pregnant and she gave birth, he has the choice of using the mother or the kid for כפרה, then he should bring a pregnant animal and 80 loaves, wait until she births then stipulate that if the principal is the תמורה, then he is using both as תודה and the 80 loaves are for both; if the principal is the תודה, the 80 loaves are for the two and regard the וולד as מותר תודה (no לחם)
    - i **Rejection**: we do not know if ר' יוחנן's reason is because the עובר may be seen as independent; it may be because (as above) a person may gain כפרה through the value-added of הקדש
  - j **Challenge (ר' דימי לרבינא)**: why not say "הרי עלי תודה", bring a third animal and 80 loaves, then stipulate that if principal is the תמורה, these two are the תודות with the 80 loaves; if the principal is תודה, the third animal here is "backup"
    - i **Rejection**: v. 3 advises against taking נדרים – we aren't going to use that as a solution