

29.3.1

17a (משנה א) → 18a (פסולות בעולם) → 18a (משנה א)

1. ואם תאכל יאכל מבשר זבח שקלמיו ביום השלישי לא ירצה המקריב אתו לא יחשב לו פגול יהיה והנפש האכלת ממנו עונה תשא: ויקרא ז, יח  
 2. מה אהבתי תורתך כל היום היא שיהיה: תהלים קט, טז

- I פיגול 3 issues relating to משנה א
- a Eating burnables, burning edibles: if he intended to eat or burn שיריים the next day – כשר
    - i Dissent: ר"א finds פסול
  - b Minimal שיעור intending to eat or burn less than כזית – fully כשר
  - c Merging: intent to burn ½ כזית and eat ½ כזית שיריים the next day – כשר
    - i Reason: we don't combine הקטרה and אכילה
- II Analysis of dispute ר"א/חכמים
- a ר"א's source (ר' אסי בשם ר"י): v. 1- האכל האכל equates "eating" of מזבח and eating by people; פיגול can apply to both
    - i And: cross-intents are valid פיגול-thoughts – since תורה refers to burning as אכילה
    - ii And: דבנן use האכל האכל to teach that even if he says "אכילה" in lieu of "הקטרה" it is valid (as פיגול)
      - 1 Alternatively: just as אכילה is minimally a כזית, so too הקטרה is minimally a כזית
      - 2 ר"א accepts that, but if that were the only implication, it would state האכל האכל (e.g.); use of two different conjugations implies both דרשות
  - b Challenge (ר"ז לר' אסי): if so, ר"א should find כרת-liability for this sort of "cross-פיגול"
    - i And: ר"י himself said – as quoted by ר' אסי – that ר"א does not extend כרת to these cases
    - ii Answer: it is a מחלוקת תנאים –
      - 1 Some: maintain that ר"א's פסול here is מה"ת (=פיגול) → כרת
      - 2 Others: hold that the פסול here is "merely" דרבנן (→ כרת no)
      - 3 Per: ברייתא regarding שחיטה with intent to drink the blood, burn the meat or eat אימורים after זמן
        - (a) כשר חכמים
        - (b) פסול ד"א
        - (c) פסול – ד' יהודה in a case of intent to leave the blood "over" until the morrow
    - 4 Dissent (פסול/כשר) (ר' אלעזר בן שמעון): here, too, ר"א and חכמים disagree
      - (a) Analysis: יהודה ר"א's position would seem to be אליעזר דר'
        - (i) Argument: according to רבנן, even when he has intent to eat – כשר; certainly here, it would be כשר
        - (b) but: if יהודה ר"א is representing ר"א's opinion, ר"א is agreeing with him
          - (i) Rather: they must disagree whether ר"א applies כרת to "cross-intents":
            - 1. ד"י in the case of להניח – only פסול; in earlier cases, ר"א holds that it is full פגול (מה"ת)
            - 2. ד"א in all these cases ר"א holds that it is "only" פסול (→ "אף בזו")
  - iii Rejection: all 3 hold that it is only פסול
    - 1 כשר להניח דם ר"א/חכמים ד"ק disagree about "cross-intent", but agree that
    - 2 פסול להניח דם ר"א/חכמים ד"י disagree about "cross-intent", but agree that
      - (a) Reason: גזירה against leaving all of the דם (ברייתא) indicating this is his position
    - 3 ר"א/חכמים ד"א disagree about all of them equally
  - iv Critique: יהודה ר"א couldn't have claimed that everyone agrees that פסול is להניח
    - 1 Story: יוסף הבבלי studying with ר"א, asked him what the status is of להניח and he kept answering him that it is כשר, until he finally added ר"א פוסל and יוסף הבבלי was elated that he had found support for what יהודה ר"א had taught him (v. 2)
      - (a) But: if יהודה ר"א claimed that all agree that it is פסול, how did ר"א's answer gladden his heart?
    - 2 Defense: יוסף הבבלי was happy that he had finally heard someone represent the idea that יהודה ר"א had taught him (as דברי הכל) – that it is פסול