33.6.1 28a (משנה א) → 29a (קמ"ל)

- - I בכל שהן which prohibit, בכל שהן (even if mixed with any number of ברמות חולין).
 - a *רובע ונרבע.* used for bestiality
 - b מוקצה set aside for "מוקצה only the animal is אסור להקרבה its adornments may be sold and used for קרבן
 - c בעבד. worshipped both the animal and its adornments may not be used
 - However: both of these may be eaten only אסורים לגבי
 - אתנן זונה, מחיר כלב, כלאים, טריפה, יוצא דופן :משניות Discussed in later אתנן זונה, מחיר כלב, כלאים, טריפה
 - II Justification of our משנה, in light of זבחים ח:א
 - a שור הנסקל any אדשים that had 1 חטאת מתה or חטאת mixed in with them all die
 - i Answer: those are איסורי מזבח; we wouldn't know to ban בכל שהוא in our case which are only איסורי מזבח
 - b א הובע ונדבע הובע וורבע are also taught if they are mixed with others, they graze and use funds per value of best for דבה
 - i Answer: that is in re: קדשים; our משנה is in re: getting mixed in with בהמות חולין
 - I *Justification*: if we only had קדשים, we would think that they are אוסר בכ"ש as it is disgusting, but דטל may be בטל
 - ii Note: we have an additional בכל שהוא about עבודה זרה ה:ט חולין list of עבודה הנאה that forbid בכל שהוא
 - 1 Justification: those are איסורי הנאה (unlike ours); but ours are used for 'ה; which those are not צריכי
 - III Sources for פסולי המוקדשין (v. 1)
 - a מן הבהמה (and not all בהמה)
 - i However: we should have been able to exclude it via ק"ו from בעל מום, which had no עבירה done to it
 - 1 *challenge*: an animal used for illicit yoking may be used, even though it was used for עבירה
 - 2 block: that is not a חיוב מיתה, unlike רביעה
 - (a) challenge: then עדים done with less than 2 עדים wouldn't be covered by ק"ו
 - (b) answer (ע"יש): מומחה) עד by 1 מזבח by 1, is banned from עד, which isn't prohibited even with two עד, is banned from מזבח
 - (i) Then: certainly גרבע, which is prohibited with 2 עדים, is banned from עד with 1 עד
 - (ii) Nonetheless: we require מן הבהמה to forbid רובע ונרבע from מזבח
 - 1. Question: why do we require מן הבהמה if we proved it via ק"ו?
 - a. Answer (ר' אשי): the original ק"ו is fundamentally flawed the problem of the בעל מום is explicit and revealed, unlike the disfigurement of the מן הבהמה → require מן הבהמה

- b מן הבקר (and not *all בקר*)
 - i However: we should have been able to exclude it via אתנן ומחיר from אתנן ומחיר:
 - 1 If: אתנו ומחיר, whose adornments are permitted, yet they themselves are אסורים למזבח
 - 2 Then certainly: אסורים, whose adornments are אסורים, should they themselves be אסורים
 - 3 *Challenge*: we could reason in the inverse:
 - (a) If: אחנן ומחיר, which are אסורים למזבח, yet their adornments are permitted
 - (b) Then certainly: נעבד, which (may be) permitted, should have its adornments permitted
 - (i) Challenge: we can't argue in that direction, due to v. 2, which explicitly prohibits gold and silver of v"v
 - (ii) Defense: we could apply v. 2 to adornments not associated with בעלי חיים and permit ציפויי נעבד
 - (iii) Therefore: we require מן הבקר to prohibit נעבד
 - ii Challenge (מן הבקר without מן, how could we have permitted ציפויין (and its ציפויין as above)?
 - 1 Support: v. 3 obligates us to destroy anything made for the purpose of י"צ
 - 2 Defense: v. 3 may obligate us to ridicule their names, not necessarily to destroy ציפויים
- c Question: why not infer נעבד from בהמה and רובע/נרבע from מן הבקר?
- d *Answer*: each is derived from textual context (vv. 4-5)
- e מוקצה: from מן הצאן (and not *all* (צאן);
- from ואם מן הצאן (added word נוגח extends to נוגח)
 - i *Justification (ר"ש*: רובע וויף is treated the same whether it happened שור האיצטדין, unlike goring (e.g. באונס) ווי באונס
 - 1 And: כופר pays כופר for killing; no special payment for צריכא רביעה
- g Alternate source (associated with "מדבר"י (מומים) is defined by vv. 7 (עריות) and v. 8 (ער"ז)
 - i Therefore: any animal which has been involved in either nefarious activity is considered to have a מום עובר and must graze until it gets a מום קבוע and be redeemed
 - ii Question: how does תדבר"י interpret the three exclusionary phrases in v. 1?
 - 1 Answer: they exclude a sick animal, an aging animal and a foul-smelling animal
 - 2 Question: what is our תנא source for חולה, זקן ומזוהם?
 - (a) Answer: v. 9 uses another three exclusionary "מן"
 - (b) *Response (תדבר"י*): that is the normal rhetoric of the text

IV Definition of מוקצה

- a ישב"ל. only if it was set aside for 7 years, per v. 10
 - i Challenge: that was also a נעבד (had been worshipped)
 - ii Answer1 (ד' אחא בר יעקב): it was set aside for worship but hadn't yet been used for worship
 - iii Answer2 (רבא): even had it been worshipped, the case was unusual (חידוש)
 - 1 Per: אבא בר כהנא 8 prohibitions were relaxed that night אבא בר כהנא אבא בר כהנא 8 prohibitions were relaxed that night
- b Source for קרבן (ד' יאשיה) מוקצה we bring must first be set aside and watched
 - i challenge (שמור): if someone brings a scrawny lamb (clearly not tended to or שמור) invalid? (it is accepted)
 - ii defense: focus of inference is from "למ" must only be watched for ה' not for מוקצה (מוקצה (מוקצה (בודה זרה) א בודה זרה) עבודה זרה וועבודה להיים של הוקצה (מוקצה (בודה זרה) א בודה זרה וועבודה וועבודה
- c מוקצה .*דב יצחק* is only prohibited once it is worshipped
- d *עולא* (quoted by יוחנן): not prohibited until it is handed over to cult priests
- e בהא (quoted by ב' יוחנן): not prohibited until it is fed vetch of ע"ז
 - i challenge (צולא challenge בהא בהא challenge עולא?
 - ii answer (בומרי ע"ז): he is explaining what with meant handing it over to נומרי ע"ז for feeding vetch to animal
 - iii tangent: comments about בבל wisdom if it came purely from his time in א"י or from בבל as well
- f מעשה taught before him): only מעשה has been done meaning shearing and use for worship

V Discussion re: נעבד

- are both permitted for eating): ד"פ per v. 12 הרבנות must be permitted to be eaten by ישראל
 - i and: if נעבד ומוקצה were prohibited, we wouldn't require מן הבקר ומן הצאן to prohibit it
 - i challenge: טריפה is prohibited, yet we require a פסוק to forbid it to גבוה, per v. 13 (מן הבקר)
 - 1 defense: we would think that משקה ישראל only forbids נטרפה before הקדש first might be מותר לגבוה first might be
 - 2 challenge: we infer prohibition of טריפה from v. 14 (in re: מעשר בהמה)
 - (a) defense: that is also needed; טריפה that we only ban a born-טריפה, that was never fit
 - (b) but: if it was born healthy and then became סריפה, we might think it is קמ"ל מותר לגבוה