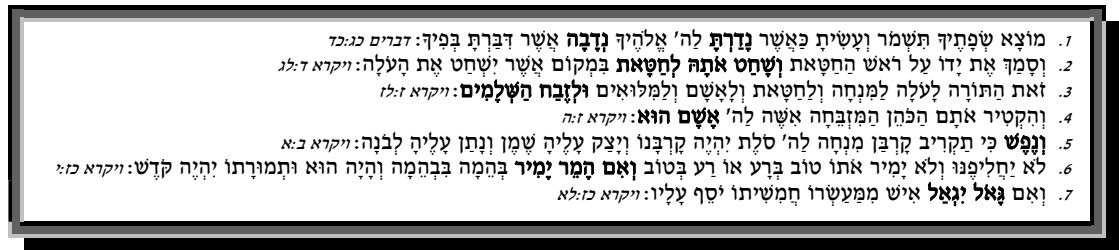


## 28.1.4

5a (מקובעא לא מכפרא מקופיא מכפרא) 6a → (דמי ריש לקיש על מעוהי בני מדרשא ומקשי) 5a



- I ר' אלעזר בן פדת (in the presence of פדת) בית מדרש while on his stomach in the presence of ר' שמעון בן לקיש
- a If: such a קרבן (slaughtered קודש) is valid, why isn't it מרצה (i.e. atones for donor)
- i And if: it doesn't atone, why bring it?
- b Answer (א"ל): we find that offerings are brought after death of donor without רצוי
- i Support: כניס בנה – if a חטאת brings her יולדת and dies, her heirs bring her עולת העוף (not inverse; that's מתה חטאת)
- c Response (רשב"ל): accedes point re: עולה, but why would an אשם be brought if slaughtered לשמה (→ not מרצה)?
- i Answer (א"ל): we have אליעזר ר' in our משנה who extends full invalidity from חטאת to אשם
- 1 Rejection: looking for a consensus answer; invoking א"ל is of no help
- d Answer (לרשב"ל himself): v. 1, per application we've already used (if proper – נדר if not – נדבה)
- II Analysis #1: רבא אביי, ר' זירא, ר' יצחק בר אבא, and then later by רבא
- a אשם שלא לשמה (he supposedly gave) from v. 1? Perhaps לשמה isn't brought at all?
- i Answer (אביי): ר"ל began with v. 2, implying that only חטאת is fully invalidated if לשמה
- 1 Implication: perhaps all others are not only valid, but they are מרצה
- 2 Therefore: he invoked v. 1; brought but as נדבה (→ no בעלים)
- (a) Challenge: then perhaps אשם should be brought and be מרצה (as v.1 only covers עולה ושלמים)
- (b) Rejection (אביי): אשם can't be מרצה, עולה ק"ו, which isn't brought for a חטאת
- (i) Block: אשם is עולה כליל לה', unlike חטאת
1. Save: שלמים prove that even without כליל, still not מרצה
- (ii) Block: חטאת ושוק require נסכים
1. Save: now we have a common denominator of עולה+שלמים:
2. אשם as well → מרצה are valid, but not מרצה חטאת
- (iii) Block: עולה ושלמים can be brought by צבור
1. Save: תודה cannot be brought by צבור yet has same characteristic
- (iv) Block: תודה requires 40 loaves
1. Save: עולה ושלמים disprove that link, as they have same characteristic without חם
- (v) Block: עולה ושלמים תודה can all be voluntarily brought, unlike אשם
- ii Answer (רבא): v. 3 – all קרבנות are compared to שלמים
- 1 Challenge: why compare to שלמים (lenient); compare to חטאת (constricted)?
- (a) Answer: v. 2 is exclusive to חטאת
- III Analysis #2: ר' הונא, ר' נחמן, ר' שמעון
- a ר' נחמן: why didn't ר"א answer that אשם does come מיתה (animal, once blemished, is redeemed)
- i ר' שמעון: the animal isn't brought מיתה, rather its proceeds are brought – which may even happen with חטאת
- 1 Case: if someone designated two animals as חטאת for guarantee (לאחריות) and used one properly
- 2 And: nonetheless, it isn't brought, as it is excluded via "הוא" (v. 2)
- (a) Challenge: אשם also is defined as הוא (v. 4)
- (i) Block: that is a reference to the status after אימורין (see ahead :ז)
- (b) However: use of הוא here is for a different purpose – to teach that only an אשם that was redirected to graze, if slaughtered חטאת, is כשר; otherwise, it maintains its identity as אשם – as it is הוא (as is)

- IV Analysis #3: ר' אשי later joined by ר' אדא בר מתנה, ר' נחמן, ר' ששת
- a ל"ש ול"ג why didn't ר"ל respond to ר"א that אשם should be brought and be מרצה – even posthumously
- i Challenge (ר' אדא בר מתנא): the יולדת gave birth – not her heirs!
- 1 Block (ר' אשי): even יולדת herself has some מצוות עשה that the עולה expiates – so do the יורשים
  - 2 Challenge; this implies that they take ownership;
    - (a) But: ר' יוחנן ruled that if two brothers inherit a מנחה, it may be brought and doesn't have the deficiency of מנחת שותפין (which is invalid, per v. 5)
  - 3 Challenge: now we assume that the יורש doesn't take possession
    - (a) However: ר' יוחנן ruled that if a man left an animal to his two sons it is brought
      - (i) However: they are not empowered to make תמורה
        1. Proving: that they own it; cannot be ממיר as שותפין
      - (ii) But: if they didn't own it, they could be ממיר, as the holders of a single-owned קרבן
      - (iii) Defense: v. 6 is interpreted as allowing for יורש (even though he doesn't own it) to be ממיר, but only a single יורש
        1. Challenge: if wording of v. 6 limits power to act to single holder, why isn't מעשר similarly limited, per parallel wording in v. 7?
          - a. Answer: in that case, even if father were alive, partners could redeem מעשר
    - (b) Challenge (ר' אשי לר' אשי): this itself proves our point – that he must own it, as ר' יוחנן ruled that only the מתכפר may do תמורה (and the מתכפר by definition is the owner), per his dictum:
      - (i) מקדיש: is the only one who must add 1/5<sup>th</sup> for redemption
      - (ii) מתכפר: is the only one empowered to ממיר
      - (iii) תרומה: is the one with the say-so of which כהן gets the תרומה
        1. Answer: he does get some "light" כפרה, but not the essential כפרה for which this animal was originally designated