



OVERVIEW of the Daf

1) Shelamim lambs of Shavuos

A Baraisa discusses what happens if one slaughtered the lambs of Shavuos with four loaves rather than two.

It is noted that the Baraisa's ruling regarding one who slaughters the Shavuos lambs for four rather than two loaves refutes R' Yochanan's parallel ruling regarding one who slaughtered a Todah for eighty rather than forty loaves.

This refutation is rejected.

R' Chanina of Tiras cites a Baraisa related to one who slaughtered four lambs for two loaves for Shavuos.

R' Yochanan challenges the ruling of the Baraisa which leads to an exchange regarding the parameters of the principle of when we may tell a person to sin in order to gain.

R' Yitzchok cites a Baraisa that teaches that if the Shavuos lambs are not slaughtered according to the way they are to be slaughtered, they are invalid and must be left overnight and then destroyed.

R' Nachman points out that according to a Tanna of Levi's Yeshiva the lambs are valid.

R' Yitzchok's ruling is unsuccessfully challenged.

R' Nachman's understanding of the Tanna of Levi's Yeshiva is unsuccessfully challenged. ■

REVIEW and Remember

1. What is the point of dispute between Chizkiyah and R' Yochanan?

2. Do we ever tell a person to sin in order to gain?

3. What is the difference between R' Yitzchok's perspective and D'vei Levi's?

4. What is מחוסר זמן בבעלים?

Distinctive INSIGHT

Deviating from the proper intent for an offering

אמר לו ר' יוחנן וכי אומר לו לאדם עמוד וחטא בשביל שתזכה

R' Chanina of Tiras taught a Baraisa in front of R' Yochanan regarding the two sheep of Shavuos. If four sheep were slaughtered for the two loaves instead of just two sheep, the blood of two of the sheep should be taken and sprinkled with the intention of being a regular shelamim, which are offerings of the individual, and not with the intent of their being the shelamim of Shavuos, which are communal offerings and which are kodshei kodoshim.

The suggestion of the Baraisa to first sprinkle the blood of two of the sheep for the sake of a regular shelamim allows us to then take the remaining two sheep and bring them for the shelamim of the festival. However, if we first sprinkle the blood of the festival sheep, the remaining two sheep would be unable to be salvaged as shelamim of an individual. At the moment the first two sheep are offered as the festival sheep, the remaining two lose their potential to be valid for their original purpose, and the rule is that once they are disqualified to be used for their original intent, they may also not be used for an alternative intent.

R' Yochanan inquired regarding the solution of the Baraisa. Is it true that we can suggest to sprinkle the first two sheep for an intent other than its proper purpose in order to permit the second two to be eaten? The blood of these sheep were supposed to be for the Shavuos festival, and sprinkling it for the sake of a shelamim of an individual is prohibited. Rashi explains that deviation from the proper intent for any offering is a sin, and Tosafos (ד"ה חטא) notes that one is in violation of a positive mitzvah if he alters the correct intent of an offering.

It is noteworthy that Rashi (Zevachim 2b) mentions that intent for a different offering (שלא לשמה) is a violation of a negative commandment, learned from Vayikra (7:18), "it shall not be acceptable." Rashi understands that although this phrase is stated in the context of piggul, the Gemara (Zevachim 29b) refers to any improper intent expressed during the service of an offering.

In his Chiddushim, Rabbi Akiva Eiger asks how Rashi applies the negative command found in reference to piggul to the case of having intent for a different offering.

In Kovetz Shiurim, R' Elchonon Wasserman explains

HALACHAH Highlight

The extent of something permitted to prevent a significant financial loss

ר' יהושע אומר אף יטמאנו ביד

R' Yehoshua says that one may even make tamei by hand

There are many circumstances in which halacha permits something that is questionable but only if prohibiting the item would represent a great loss to the owner. A related question is whether that item that is permitted becomes permitted for everyone or perhaps only the owner may use that item but for others it is prohibited since for them it does not involve a loss. Chasam Sofer¹ wrote regarding a case involving wine that the lenient ruling is limited to the owner of the wine but for others the wine is prohibited. Since only the owner would possibly suffer financially he may be lenient but why should others be lenient when other wine is available? Furthermore, if he is a merchant it seems clear that he must inform customers of the status of the wine and if he were not to do so it would void the sale.

Erech Shai² questions Chasam Sofer's ruling. The halacha is that a mourner is permitted to work if not working would cause him a loss. Furthermore, the Gemara (Moed Katan 11b) teaches that if someone else stands to suffer financially the mourner may work to prevent his loss. The rationale is that just as one must be concerned about his own loss so too he must be concerned about the loss of his friend.

STORIES Off the Daf

Righting a Wrong

"וכי אומר לאדם עמוד וחטא..."

A certain sofer wrote a sefer Torah and was looking it over carefully looking for any possible errors, when he finally found one. Instead of **אלוקים** he had written **אלוקיכם**. Although with most errors he would only have to erase the problem and rewrite, he was unsure whether he could do so in this case. As is well known, it is forbidden to erase the Name of God. In this case, the problem was not the name per se, but the suffix **כם**. Since he did not want to rewrite the entire amud, he wanted to

fix the error but only if this was permitted by the halachah.

When this question reached the Taz, he ruled that the sofer could not erase the suffix **כם**. "It is obvious to me that it is forbidden to erase a suffix to one of the Divine Names. Here is the proof: although we find in Meseches Sofrim that if a bit of ink fell on one of the Divine Names it is permitted to erase the ink in order to correct the blot, the Mordechai explains that this may only be permitted if a letter wasn't yet formed properly. However, if ink fell on a complete Name it would be forbidden to erase the ink. Similarly, if the letter were accidentally connected this would also be forbidden and the same is true regarding a suffix."

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Rashi's view. According to R' Chaim Soloveichik, the basis of intent for the wrong offering is not just the lack of having the proper intent, which would leave the offering without its necessary positive intent for that particular offering. Rather, expressing intent for the wrong offering is the same as that of piggul—both are thoughts which actually invalidate an offering. Because they share the same underlying principle, the negative commandment applies to both cases equally. ■

Accordingly, in our case as well, just as the merchant is allowed to be lenient to prevent a significant financial loss, so too others may purchase that questionable merchandise from him to prevent him from suffering a significant financial loss.

Imrei Yosher³ also notes that our Gemara indicates that preventing a financial loss is considered a merit. For this reason R' Yehoshua allows one to intentionally make terumah tamei in order to prevent a loss to one's unconsecrated grain⁴. In his conclusion he strikes a compromise and rules that when the owner did not do anything wrong to put himself in this circumstance the questionable item could be permitted for everyone. If, however, the owner contributed to the creation of this circumstance the leniency may not be extended to others. ■

1. שו"ת חת"ס או"ח סי' ס"ה ומובא דבריו בפת"ש יו"ד סי' ל"א סק"ב.
2. ערך שי יו"ד סי' ל"א סק"א.
3. שו"ת אמרי יושר ח"ב סי' כ"ט אות ה'.
4. ע"ר שו"ת ד"ה אף. ■

When the Chut HaMeshulash saw this response, he developed a different view based on a proof from today's daf. "In my opinion, although the Beis Yosef brings this Mordechai and it is l'halachah, there is room for leniency regarding a suffix. The proof to this is from Menachos 48. There we find that Rav Yochanan asks if we may do a sin in order to gain something in regarding to sacrifices. From the Rambam there it is clear that we hold like the opinion that Rav Yochanan."

He concluded "Since rectifying the shem is the same as saving a sacrifice, it is clear that in this case we may erase to rectify, especially since erasing a suffix is only a rabbinic prohibition."¹ ■

1. שו"ת חוט המשולש, ח"ג, סי' ל"ט. ■

