

OVERVIEW of the Daf

1) Time and place (cont.)

Rava completes his presentation of the sources in the Mishnah concerning the disqualifications of incorrect intent regarding time and place of a korban.

Rava's approach is unsuccessfully challenged.

A Beraisa is cited that presents different interpretations of Vayikra 7:18 which is central to the discussion of the Mishnah's rulings.

The Gemara elaborates on Ben Azzai's exposition cited in the Beraisa.

The Gemara inquires about the exposition that R' Eliezer would make from the phrase **לא יחשב** since he derived the issue of intent from a different source.

This explanation is unsuccessfully challenged.

2) MISHNAH: The Mishnah states the guiding principle to determine whether incorrect intent regarding time and place of a korban merely invalidates the korban or does it also bear the punishment of kareis. The Mishnah also presents a dispute about the effect of having both incorrect intents about a single korban. The Mishnah concludes with the teaching that intent for eating and burning do not combine.

3) The dispute between Tanna Kamma and R' Yehudah

Ilfa and R' Yochanan disagree whether the disagreement between Tanna Kamma and R' Yehudah is limited to two acts of service or even a single act of service.

The Gemara begins a challenge against R' Yochanan's position that the dispute applies in both circumstances. ■

REVIEW and Remember

1. What support does R' Akiva provide for R' Eliezer's position?

2. How does Ben Azzai know that the verse refers to a korban rather than a kohen?

3. What sin committed by a man causes his wife to die?

4. What is the point of dispute between Ilfa and R' Yochanan?

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 By Dr. and Mrs. Shmuel Roth
 In loving memory of their father
 ר' יצחק יעקב בן ר' יחיאל צבי, ע"ה

Distinctive INSIGHT

The prohibition against bringing an invalid offering

ורב מרי מתני אמר רבי ינאי מנין למחשב בקדשים שהוא לוקה

The Gemara brings Rav Mari's view of R' Yannai, who learns that a kohen who has a disqualifying intent when officiating for an offering is in violation of the verse (Vayikra 7:18) **לא יחשב**—the one offering it may not intend this." This is a violation which is deserving of lashes. Rambam (Hilchos P'sulei HaMukdashim 18:2) explains that there are three distinct areas of intent which are critical. They are that the offering should not be intended to be performed beyond its proper time frame, that it should not be done in a place that is beyond its domain, and that it not be improperly intended to be a Pesach or Chattas.

The improper intentions of the kohen do not involve any action on his part. The Gemara immediately notes that the lesson of R' Yannai is correct only according to the opinion of R' Yehuda, who holds that lashes are meted out for an infraction even if it does not entail any action (לאו (שאין בו מעשה). Although the authorship of this Beraisa is attributed to R' Yehuda, this is only due to the additional statement that lashes are applied in this case. Nevertheless, even if we do not accept R' Yehuda's view in this regard, this verse is still understood to teach that a kohen who ruins an offering by having improper intent has violated a negative commandment (Rambam, *ibid.*, 18:1).

Sefer HaChinuch (Mitzvah 144) writes that the reason we do not find this law as a separate negative commandment is that it is included in the negative commandment not to place a blemish upon a consecrated animal. A kohen who has an invalid intent ruins the offering, just as if he had blemished it.

Ramban writes that there is a negative commandment not to slaughter a consecrated animal which has a blemish. This is learned from the verse (Devarim 17:1) "Do not slaughter for God and ox or sheep which has upon it a blemish, any bad thing (**דבר רע**). Included in this mitzvah is slaughtering an offering which is piggul, and it is indicated in the wording of the verse which warns against bringing an animal which has a problem of **דבר רע**—an issue which is defined in terms of improper "speech," which refers to piggul. Rashi, in his commentary to Chumash, also explains the verse in this way. R' Eliezer learns this law from the words **לא יחשב**, which he interprets as a warning that a kohen not ruin an offering with improper thoughts while officiating.

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HALACHAH Highlight

Forgoing a condition after it was not fulfilled

אחר שהוא כשר יחזור ויפסל

After it was valid can it become invalid?

Chacham Tzvi¹ discussed a case of a man who betrothed a woman with a condition. The terms of the condition were not fulfilled but the man said that he was willing to forgo the need to fulfill the condition and would like the betrothal to be effective unconditionally. Chacham Tzvi ruled that the man can not restore the original betrothal. The ability to forgo the fulfillment of a condition exists only as long as the condition could still be fulfilled. Once the condition was not fulfilled the betrothal is already invalid and forgoing the need to fulfill the condition is not effective. Chacham Tzvi proves this principle from our Gemara. The Gemara cites the verse **ואם האכל יאכל וכי ביום השלישי** ... on the third day. R' Eliezer asserts that the pasuk refers to one who intends to eat the korban on the third day. His proof that the pasuk should not be understood literally is that it is illogical that a korban that was valid should become retroactively invalid as a result of its being eaten on the third day.

Beis Shlomo² issued a similar ruling. Reuven, Shimon and Levi formed a partnership in the rental of some real estate. The agreement was that they would pay the rent in three installments and if the rent was not given at the designated time the land would revert back to the possession of

(Insight...continued from page 1)

The Gri"z notes that this same halacha is learned from two completely different verses and they refer to different aspects of the issue. The verse from Vayikra 7:18 is issued against the kohen, warning him not to have improper thoughts. This violation has no action associated with it. The verse from Devarim 17:1 warns not to bring an offering that is blemished or invalid. This does refer to an action, that the kohen not officiate once there is a disqualifying problem. ■

the owner. If, however, one of the partners wants to pay for his friend and take over his share that option is available as well. When one of the payments came due all the partners failed to contribute their part. The owner, however, did a favor for Shimon and Levi and allowed them to remain on part of the property. Reuven claimed that since the three of them had formed a partnership and they all failed to pay their rent they should all have an equal share of the land that the owner left in their possession. Beis Shlomo rejected this claim because even if we assume that the owner's allowance for Shimon and Levi to remain on the property is considered as though he received the rental payment, that *mechila* is only effective before the money came due. Once they missed the payment the partnership dissolves and Reuven can no longer claim to have a share in the land that the owner left with Shimon and Levi. ■

1. שו"ת חכם צבי סי' מ"א.

2. שו"ת בית שלמה חו"מ סי' נ"י ומובא בדברי גאונים כלל ק' סי' נ"י. ■

STORIES Off the Daf

Neglected Duty

אין אשתו של אדם מת א"כ מבקשין ממנו ממון ואין לו

Rav Chaim Shmuelewitz, zt"l, taught a very practical lesson from a statement on today's daf. "On Zevachim 29 we find that one does not lose his wife to an untimely death unless he was asked to pay money he owed and he failed to do so. Rashi learns that this means theft, while Tosafos explains that it means that he had to pay money to fulfill his vow but failed to do so.

"We may well wonder why he should be punished. After all, he

doesn't have the money! We see from here that if he knows that he is a baal chov and takes this as seriously as he must, he will certainly find the money. No barrier will prevent someone who is truly committed from obtaining his goal, since he will tap into hidden strengths and find a way.

"If he fails to come up with the money, this shows that he does not truly understand what it means to be a baal chov."¹

But why does his wife deserve such a punishment? The Sichos Chulin D'rabanana explains that this is only true when the wife prevented her husband from paying his debts. She may have reasoned that there is no cause to give

tzedakah since our sages teach that merely by paying money to honor one's wife he becomes wealthy. In such cases where the wife is responsible, she dies for her sin.²

But the Chochmas Hamatzpun, zt"l, explains differently. "One who fails to repay his debts is obviously deficient in hakaras hatov. But his greatest debts are to his wife, whom he is obligated to honor and support. If he fails to repay his debts to others, it is more than likely that he will be derelict in supporting his wife as well. Due to the pain this causes her, she is taken from him to a better place..."³ ■

1. ספר זכרון, ע' תרי"ח

2. שיחות חולין דרבנן, פ"ג

3. חכמת המצפון, מטות ■