

OVERVIEW of the Daf

- 1) **MISHNAH 1 (cont.):** The Mishnah continues to discuss what happens when equal numbers of pairs of birds definitely become mixed together.
- 2) **MISHNAH 2:** The Mishnah discusses what happens when unequal numbers of pairs of birds become mixed together. The Mishnah concludes the general principle that guides these halachos.
- 3) **MISHNAH 3:** The Mishnah addresses the validity of the korbanos when pairs of bird korbanos become intermingled and are offered on the Altar.
- 4) **MISHNAH 4:** Additional cases involving mixtures of birds that are offered on the Altar are presented, and the corresponding number of korbanos that are successful are listed.
- 5) **MISHNAH 5:** The Mishnah discusses cases in which a chattas bird becomes intermingled with pairs of birds and cases in which an olah bird becomes intermingled with pairs of birds.
- 6) **MISHNAH 6:** The Mishnah begins by addressing a case of a woman who pledged to offer a voluntary pair of birds if she were to give birth to a male child. The next discussion is when the woman specified which species of birds she would offer but forgot. Additional complicating factors that could apply are discussed. ■

REVIEW and Remember

1. Which bird korbanos are offered above the red line ?

2. To what does the Mishnah refer when it refers to a מפורשת ?

3. When a woman vowed that she would bring a pair of birds when she gives birth what designation are those birds (chattas or olah) ?

4. What factors can occur to a woman who vowed to bring a pair of birds following childbirth that could obligate her to bring additional korbanos ?

Distinctive INSIGHT

A voluntary set of birds in addition to her obligation

נתנתן לכהן ואינה יודעת מה נתנה והלך הכהן ועשה ואין יודע מה עשה צריכה להביא עוד פרידין ארבע לנדרה ושתים לחובתה וחטאת אחת

A woman who gives birth and must bring a set of birds, one olah and one chattas. In Perek 3 Mishnah 6, we find the complications which might arise where this woman volunteers to bring an additional set birds as well, the volunteered set being two olos. Her total offerings are three olos, which are to be brought on the upper part of the Altar, and one chattas, to be brought on the lower part of the Altar.

If the kohen thought these were two obligatory sets, and he brought two birds above and two birds below, this means that he brought one of the olos below as a chattas, which is invalid. In this case, another bird must be brought as an olah. This is the solution in the case where all the birds were of the same type.

We learned above (2:5) that the rule is that a set of birds must either both be doves or both pigeons, and one may not use a mixed set, one a dove and one a pigeon. Rashi in Zevachim (67b-68a) holds that a set of birds for a voluntary offering of olos must also both be of one type. In our case, if one set was doves and the other pigeons, when the kohen brought two above and two below, the first set of a chattas and olah count for her obligation. When the second set was brought, one bird above and one below, they should have both been olos brought above, so the olah brought below is not valid. Yet, the olah brought above is also not necessarily valid either, because we know she meant it to be specifically from either a dove or pigeon, and we do not know whether the kohen successfully brought it from the proper type. She must bring two more birds as olos, one dove and one pigeon, to guarantee that we match the one she specified. This requires two new birds for olos, a dove and a pigeon.

Later in this Mishnah, we find a case where, beside her obligation, the woman vowed to bring a specified type of bird as her donation, but she forgot what she specified. The kohen then brought the two sets, but he does not know what he did, whether he brought them all above or all below, or half and half. The woman must now bring a total of seven birds to cover for the following possibilities. Four birds are for her donation, two doves and two pigeons, just to be sure she fulfills her vow of two as specified. She must also bring two more birds for the olah of her obligatory offering, to guarantee that one of them match the chattas that might have already been brought properly. She must also bring a single bird as a chattas of either type she chooses. It was possible that the kohen brought all the birds above, so the original bird designated as a chattas would have been invalid. The reason she need not bring one of each type as a chattas is that the type of bird used for the pair is determined by the chattas, so whatever type she now brings is acceptable. ■

HALACHA Highlight

The excitement over the birth of a son

הרי עלי קן כשאלד זכר

It is incumbent upon me to bring a pair of birds when I give birth to a son

The Mishnah discusses a woman who pledges that if she has a son she will offer an additional pair of bird olos. Tiferes Yisroel¹ in the name of Tashbatz explains that the reason the Mishnah discusses the case of a woman who pledges a pair of birds upon the birth of a son is that women are more excited when they have a son. The rationale behind her additional joy is that she will now have someone to take care of her (Kesubos 64a). This is in contrast with a father who is more excited upon the birth of a daughter (Bava Basra 140b).

The following question was addressed to Rav Yosef Sholom Elyashiv that relates to this principle². There was once a man who was deaf-mute and as a result, he was exempt from mitzvos. He had a daughter from his first wife and had been married for ten years to a second wife and they did not have children. He wanted to divorce his second wife and marry another woman but his second wife refused to accept a גט. Generally,

one who is obligated to fulfill mitzvos has the right to divorce his wife or receive permission to marry a second wife. The issue here is that a deaf-mute is not obligated in mitzvos, so he cannot invoke this halacha of wanting to fulfill the mitzvah. What he can claim is that he wants a child to support him when he becomes old since there is no difference between men and women wanting to have offspring to support them. However, one could argue that since he already had a daughter, he would not have that claim. On the other hand, according to Tashbatz it is only a son that serves that role of taking care of an elderly parent and, as such, perhaps the man could demand that he should be permitted to marry a woman capable of having children so that he could have a son who would take care of him when he gets old. Rav Elyashiv cites arguments for both sides of the issue. Teshuvos Lev Aryeh³ asserts that the claim that one wants a child to take care of them is limited to women. This is in fact evident from Tashbatz who explains that women are excited by the birth of a son but a man is excited by the birth of a daughter. Therefore, the man in this case had no claim to demand that his wife accept the גט or to receive permission to marry another woman. ■

¹תפארת ישראל פ"ג יכ"ג אות ל"א.
²ישורון י"ז עמ' תנ"ד.
³שו"ת לב אריה סי' כ"ה. ■

STORIES off the Daf

The Special Guest

“אחת לזו ושתיים לזו...”

Rav Moshe Boim, z”l, was one of the elders of Vorke and Amshinov. He often recounted that when he was a young man he merited to invite a very special guest to his father-in-law's home. “My father-in-law graciously allowed me to bring in a guest if I wished. Once, while I was in the Beis HaChassidim, I noticed a simply dressed Litvishe Jew carrying several packages of books. I immediately offered my hand and said, ‘Shalom Aleichem.’ When he returned my greeting, I had a feeling that here was no simple bookseller or maggid who wandered around to earn his living.

“Where are you from, sir?”

“Radin,” he replied.

When I asked him if he needed any-

thing, he pointed out that he had several packages of seforim with him.

“He asked, ‘Would it be possible to leave these seforim here?’

“I explained that there was no space in the Beis HaChassidim, but there was plenty of room in my father-in-law's house. I added that we would be delighted if he would spend his time in town with us.”

Our guest ate only black coffee and simple bread, but by Shabbos he agreed to join our table after a very careful examination of our level of kashrus.

The Friday night meal was very simple, and, after we ate, he immediately went to his room and shut the door behind him, despite the early hour. I couldn't prevent myself from hearing that the guest immediately began pacing his room and reciting something in a very low voice. After a moment I realized that he was reviewing Mishnayos Kinim by heart and I quickly brought a Mishnayos. I

followed him as he recited by heart in the same voice the first mishnah of Kinim with all the commentaries. Then he continued on to the second Mishnah.

“I stood there as he recited every single Mishnah with all the meforshim without making the slightest error. Years later when it came out that the man assumed to be merely selling Shemiras HaLashon—the sefer that our guest peddled during his stay—was actually the author, I for one, was not surprised. I was thrilled that I had merited to host the Chofetz Chaim—a true tzaddik and talmid chacham before whom the entire Jewish world stood in awe!”¹ ■

■ זכרונותיו של איש פשיסחא¹