



OVERVIEW of the Daf

1) **MISHNAH:** The Mishnah discusses different korban disqualifications and whether the animal remains subject to the prohibition of me'ilah. R' Yehoshua teaches that a korban that became permitted for kohanim is not subject to me'ilah and those that did not become permitted to kohanim remain subject to me'ilah.

2) Kodshei kodoshim slaughtered in the south

The reason it was necessary to emphasize that kodshei kodoshim slaughtered in the south remains subject to me'ilah is explained.

The necessity for the Mishnah to provide so many different examples is explained.

Rabbah and R' Yosef debate whether kodshei kodoshim slaughtered in the south and then placed on the Altar may remain there.

The Gemara elaborates on the dispute.

Rabbah's position that it must be taken down is unsuccessfully challenged.

The distinction between Biblical and Rabbinic me'ilah is explained.

The existence of Rabbinic me'ilah is demonstrated.

The reason Ulla explained something that seems to be explicit in a Mishnah is discussed.

The reason Ulla had to discuss the case of the animal that dies even though it is mentioned in the Mishnah is also explained. ■

REVIEW and Remember

1. What is R' Yehoshua's general rule regarding me'ilah?

2. Why was it necessary for the Tanna to present so many different cases?

3. What is the point of dispute between Rabbah and R' Yosef?

4. What is the me'ilah status of an animal designated as a korban that dies?

Distinctive INSIGHT

Me'ilah and how it applies to various sanctified items

קדשי קדשים ששחטן בדרום מועלין בהן

The Torah teaches the law of me'ilah in Vayikra 5:15-16. When a person inadvertently benefits from the property of the Mikdash he must bring an asham. This applies whether the person takes from that which is designated for the Altar, or if he benefits from the general, at-large property of the Mikdash (בדק הבית).

The law of me'ilah is illustrated in the Mishnah in terms of kodshei kodoshim, which are offerings of chattas, asham, olah and shalmei tzibbur. Regarding this category of offerings, the verse (ibid. v.15) describes the law in terms of one taking from "that which is sanctified to God." From this we learn that me'ilah only applies once the portions of the offering are fitting to be placed upon the Altar. Therefore, offerings that are burnt in their entirety (olah, minchas kohen, outer bulls and goats, kemitzah and levonah) are eligible for me'ilah from the moment they are sanctified until after their service is completed. Me'ilah applies to the other kodshei kodoshim from the moment they are sanctified until after the blood of the animal is sprinkled on the Altar. Once the blood is sprinkled, me'ilah no longer applies to the meat of the offering, because it is then permitted for the kohanim to eat. Me'ilah still applies to the fats and organs placed on the Altar until they are burnt. For kodoshim kalim (todah, shelamim eil nazir), me'ilah only applies to the limbs which are placed upon the Altar once the blood is sprinkled. Although it is clear which limbs and organs are destined to be for the Altar, these parts are not yet "sanctified for God" until the blood is sprinkled.

Although me'ilah applies in all categories of sanctification, Tosafos notes that the Mishnah illustrates the law in regard to kodshei kodoshim, and the reason is that here me'ilah applies even if the service was performed improperly, as delineated in the Mishnah. It is specifically kodshei kodoshim that are immediately sanctified upon being designated, and the me'ilah rules which apply are only released when the service is completed properly. Ko-

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By Mr. and Mrs. George Saks
in loving memory of their mother, Malka bas Avrohom
and grandmother Chaya Baila bas Yitzchok Yaakov

HALACHAH Highlight

Using the hide of a dead bechor for a sefer torah

קדשים שמתו יצאו מידי מעילה דבר תורה

Kodoshim that died are not subject to me'ilah from the Torah

The Gemara teaches that a sacred animal that dies is not subject to Biblical me'ilah but is subject to Rabbinic me'ilah. One of the practical questions that arise from this is the status of a bechor that dies. Teshuvos Binyan Olam¹ was asked about a sefer Torah written by a scribe and donated to the Beis HaKnesses and it was later discovered that the hide of a bechor that died was used for one of the pieces of parchment that composed this sefer Torah. Amongst the related questions was whether the sefer torah is now prohibited for benefit and whether it is prohibited to read from the sefer torah if it is prohibited for benefit. He noted that our Gemara teaches that when a sacred animal dies it is no longer subject to the Biblical prohibition of me'ilah. This means that one who benefits from the dead animal is not obligated to offer a Korban Asham or pay the one-fifth surcharge for benefitting from sacred property but it could possibly be that there remains a prohibition against benefitting from such an animal.

He wrote that the matter is subject to a disagreement between Rashi and Tosafos in the Gemara in Kiddushin (57b). According to Rashi it is Biblically prohibited to benefit from a sacred animal that died whereas according to Tosafos it is

(Insight...continued from page 1)

doshei kalim, however, are only subject to me'ilah once the blood is sprinkled and it becomes permitted for the organs and fats of the offering to be placed on the Altar.

Mishneh LaMelech (to Hilchos Me'ilah 2:1) explains that Tosafos in Nazir (10a) holds that although me'ilah does not apply to kodoshim kalim until the blood is sprinkled, there is still a Torah prohibition to use them. Shitta Mikubetzes (Menachos 4b) explains that this is based upon the law not to violate one's vow (Bamidbar 30:3). A person who pledges to bring an animal for an offering vowed that the animal be used for the Mikdash, and not for personal use. ■

only Rabbinically prohibited to benefit from the dead sacred animal. According to Rashi it is necessary to explain that when our Gemara teaches that a sacred animal that dies it is no longer subject to the Biblical prohibition of me'ilah what the Gemara means is that the punishments for benefitting from sacred property are not administered but the animal remains prohibited for benefit. Despite the fact that the animal is prohibited for benefit the sefer torah may be used for communal Torah reading since mitzvos are not designed for benefit and using for their mitzvah purpose is not a form of benefit. ■

1. שו"ת בנין עולם יו"ד סי' נ"ו.
2. רש"י קידושין נ"ז: ד"ה מה שלי.
3. תוס' שם ד"ה מה שלי. ■

STORIES Off the Daf

The Southern Side

קדשי קדשים שחיטתן בדרום

There are those who feel that if you are too nice, you might just live to regret it. As the old Yerushalmi saying goes, "Don't be too sweet, lest people swallow you up. But don't be too bitter lest they spit you out!"

At the end of Kareisos we learn that Torah scholars multiply peace in the world. The Vilna Gaon observed that this statement is repeated at the end of four tractates—Berachos, Niddah, Yevamos and Kareisos—and they have as their initials the word בניך, "your builders." Rav Yechezkal Abramsky, zt"l,

explained that a talmid chacham should be so filled with sweetness due to his dveikus in Torah that he should be able to always treat his fellow with dignity and respect, never insisting on his rights, thereby multiplying peace. But there is a potential problem with this, as the author of the Shraga Meir, zt"l, points out.

"If a talmid chacham is always so gracious and understanding, some people may be inclined to pain him, giving him a lot of grief. He may feel safe acting in such a manner since he reasons that scholars will forgo their honor and forgive any insult.

"It is to warn against such an attitude that—immediately after we complete Kareisos with this statement—the Mishnah begins by telling us if kodshei

kodoshim which are slaughtered in the south are mistreated, one transgresses the prohibition of me'ilah. Darom, the Hebrew word for south, alludes to scholars, as we find in Bava Basra: 'One who wishes to grow wise should ידרים, lean towards the south, while praying.' The very next words warn that there will be consequences for this behavior. Although scholars themselves will surely remain silent in the face of insult, God will consider this as me'ilah. Since in Pesachim we find that one who does me'ilah is liable for death at the hands of heaven, a person will surely understand that he must be careful to avoid insulting chachamim. Instead, he will treat them with the respect they deserve."¹ ■

1. שרגא המאיר—דרשות, ע"י שני"ח ■