

OVERVIEW of the Daf

1) Kodshei kodoshim slaughtered in the south (cont.)

The Gemara concludes explaining why it was necessary for Ulla to discuss the case of the animal that dies even though it is mentioned in the Mishnah.

2) A chattas that dies

The teaching that a chattas that dies remains subject to Rabbinic me'ilah is unsuccessfully challenged.

3) Kodshei kodoshim slaughtered in the south (cont.)

R' Yosef successfully refutes Rabbah's position that kodshei kodoshim slaughtered in the south that is placed on the altar must be taken down.

It is noted that this issue that was debated by Rabbah and R' Yosef was obvious to R' Elazar.

The Gemara teaches that although R' Elazar's position was clear to him, nevertheless it is not clear which of the two positions he maintained and the matter is left unresolved.

4) Throwing the blood of a piggul korban

R' Gidal in the name of Rav teaches that throwing the blood of a piggul korban does not remove kodshei kodoshim from me'ilah nor does it subject parts of kodoshim kalim to me'ilah.

R' Pappa presented a challenge to this second ruling to Abaye that left Abaye silenced.

R' Abba answered R' Pappa's challenge.

R' Abba's assertion that piggul does not take effect until the blood is thrown on the Altar is unsuccessfully challenged. ■

REVIEW and Remember

1. What is done with coins designated for the chattas if the money is no longer needed?

2. When does the bird that became unfit for use transmit tum'ah to a person's clothing when he swallows it?

3. What is the consequence of throwing the blood of a piggul korban?

4. What happens if a kometz of piggul is placed on the Altar?

Distinctive INSIGHT

The sprinkling of blood which is piggul

אמר רב גידל אמר רב זריקת פגול

Earlier (2a) we learned that the status of piggul does not apply to an offering unless the sprinkling of its blood is completed, which culminates the main four services which are done for every offering—shechita, collecting the blood, walking the blood to the Altar and sprinkling the blood on the Altar. Even if a kohen had an intention to eat the offering beyond its permitted time allotment, piggul does not apply unless these four services are completed in a manner which, other than the improper intention, would be kosher. We also learned that for a kodshei kodoshim offering me'ilah applies immediately upon the animal's being declared sanctified, and me'ilah applies until the sprinkling of the blood, at which time the meat is permitted for the kohanim and me'ilah is suspended. Kodshim kalim only become eligible for me'ilah at the moment the blood is sprinkled, and it applies only to the limbs which are now to be placed upon the Altar.

In our Gemara, Rav Giddel in the name of Rav, says that in the case of an offering which has had a piggul intent registered at the moment of shechita (according to Tosafos), when the sprinkling of the blood occurs and the piggul intent becomes finalized, the meat of a kodoshei kodoshim offering does not become permitted for the kohanim. Accordingly, because the sprinkling does not permit the meat, me'ilah is not suspended. Similarly, in regard to kodshim kalim, the sprinkling does not allow the limbs of the offering for the Altar, so the status of me'ilah does not apply to the limbs, which are not "sanctified for God."

Rashi explains that the case of R' Giddel is where the kohen had a piggul intent at the time of the shechita as well as at the moment of the sprinkling of the blood. Sef'er Mishmeres Kehuna explains that Rashi did not just explain that the piggul was committed only at the moment of the sprinkling because R' Giddel holds that the rule of me'ilah is governed by the moment of shechita (היתר שחיטה שנינו). This means that if at the moment of shechita the offering was fit to become permitted, the law of me'ilah will apply later, even if it fails to actually become permitted due to other factors. So, too, here, if the shechita was done flawlessly, a piggul intent at the moment of sprinkling would not prevent the me'ilah status

HALACHAH Highlight

Selling a Beis HaKnesses to construct a mikveh

לא נהנין ולא מועלין

One may not derive benefit but it is not subject to me'ilah

Rav Moshe Feinstein¹ was asked about a town that did not have a mikveh. The government issued a permit to construct a mikveh but the location they designated for that project was in the women's section of the Beis HaKnesses. Shulchan Aruch² teaches that a Beis HaKnesses may not be sold for a bathhouse unless the sale is performed under the authority of the seven trustees. In this case for technical reasons this was not possible so the question was whether there is some other permit to transform the women's section into a mikveh.

Rav Feinstein offered a number of rationales to permit making the women's section into a mikveh and one of them related to the fact that even if it was assumed that a Beis HaKnesses possesses sanctity that is comparable to kodoshim, nevertheless, we find that if an animal is sanctified and can no longer be used for the korban for which it was designated it loses its physical sanctity. Being that its monetary value could still be used it does not revert back to a completely non-sacred state but it does lose some of its sanctity. Similarly, when Chazal invested sanctity into a Beis HaKnesses the intent was that it should remain sacred as long as it is needed to serve the function of a Beis HaKnesses. When it is no longer needed to serve the function of a

(Insight...continued from page 1)

from occurring.

Sefer Mayim Kedoshim asks that a piggul intent at the time of shechita is certainly enough to ruin an offering, and the meat will not become permitted. Why is there a need to have this improper intent also at the moment of sprinkling? He answers that if piggul occurred at the shechita, and the kohen did not retract his intent, we assume the remaining services were also with piggul intent. Here, after the shechita, the kohen collected the blood intending to complete the service in its proper time. Me'ila only occurs when both acts are done improperly. ■

Beis HaKnesses it loses its sanctity. Moreover, since the sanctity of a Beis HaKnesses is only Rabbinic in origin once it loses its sanctity it reverts back to a completely non-sacred state. Therefore, once it was decided that they would no longer use that part of the Beis HaKnesses it is considered as though it can no longer serve its function as a Beis HaKnesses and reverts back to non-sacred status. Normally there is a concern that although presently it is not needed it may be needed at some point in the future. The way to avoid that issue is to sell the Beis HaKnesses in the presence of the seven trustees but in this case it can be assumed that all the residents and trustees would agree since it allows people to marry and live normal married lives so Rav Feinstein ruled that it was permitted. ■

1. שו"ת אג"מ או"ח ח"א סי' נ"א.
2. שו"ע או"ח סי' קנ"ג סעי' ט'. ■

STORIES Off the Daf

No Atheists in Foxholes

כל שהיה פסול בקדש אם עלו לא ירדו

There is a famous saying: "There are no atheists in foxholes." This indicates that, despite a person's protests, the moment he is under pressure he instinctively turns to God for aid. This is not an intellectual exercise, like some kind of a gamble; it is a nearly universal reaction that is very revealing. The Alter of Kelm, zt"l, explains this in depth. "If one observes, he will find that emunah definitely never leaves a Jewish heart. Those

who claim not to believe—or for some reason act like one who lacks belief—simply cannot focus on faith in an honest way due to the ulterior motives of their physical drives. The moment they are confronted with hardship, they naturally turn to God because the trial brings the emunah to the fore. Our job is to work to reveal the emunah from deep within, to recognize it and value it."¹

Although teshuvah is open to everyone, it is not always easy to return as the Mahartiz, zt"l, points out based on a statement on today's daf: "Our sages tell us that 'כל שפסולו בקדש אם עלו לא ירדו.' This means literally that anything which was placed on the Altar but be-

came defiled is not removed. We can learn an important lesson in avodas Hashem from this statement. Even if a person acts in a פסול or defiled manner, but he is still בקדש, still knows the truth of Torah and mitzvos despite his weakness; אם עלה— if he is hit with a thought to do teshuvah, לא ירדו he will succeed and not fall again. But the opposite is also true. If the pesul is not בקדש, that is one acts sinfully because he sees himself as a kind of חוקר פוקר or philosopher-skeptic, even if he has a thought to do teshuvah it will be very difficult for him!"² ■

1. הסבא ותלמידיו, ע' קס"ח.
2. מהריץ, שבת תשובה.