

OVERVIEW of the Daf

1) R' Shimon's position (cont.)

R' Hoshaya continues to explain his uncertainty regarding the effect of incorrect intent according to R' Shimon.

R' Assi responded that indeed there is uncertainty regarding R' Shimon's position.

The Gemara explains why R' Assi did not utilize the explanations suggested by Rabbah, Rava or R' Ashi.

2) Minchas K'naos

The Gemara inquires after the source that a Minchas K'naos becomes invalidated through improper intention.

A source is suggested but rejected returning the Gemara to its original question of the source that the sinner's Minchah and the Minchas K'naos become invalidated through incorrect intent.

Another source for this halacha is presented.

This source is unsuccessfully challenged.

3) Minchas HaOmer

Rav asserts that the Minchas HaOmer also becomes invalidated if it is brought with incorrect intent as does the asham of a nazir or a metzora.

Rav's ruling concerning the Minchas HaOmer is unsuccessfully challenged.

4) Asham of a nazir and metzora

Rav's second ruling concerning the Asham of a nazir and metzora are challenged.

R' Yirmiyah distinguishes between those that atone and those that make fit.

A Mishnah is cited to support this distinction.

R' Yirmiyah's distinction is unsuccessfully challenged. ■

REVIEW and Remember

1. What is the source that a Minchas Choteh is completely invalidated if offered with incorrect intent?
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2. Why is the Minchas HaOmer invalidated if offered with incorrect intent?
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3. How does the Torah differentiate between atoning korbanos and qualifying korbanos?
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4. Which korban of a woman who gave birth is offered even after she died?
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Distinctive INSIGHT

A minchah which atones and a minchah which permits
האשה שהביאה חטאתה וכו'

Our Mishnah taught that any of the menachos is still valid if its kemitza was removed by a kohen who had in mind a different type of minchah, but it does not allow its owner to fulfill his obligation. The exception to this rule is the minchah of a sinner (those enumerated in Vayikra 5:1-4) or the minchah of a sotah. In these two cases, the minchah is disqualified if the kemitzah was taken having in mind the wrong type of minchah.

In the Gemara, Rav adds that a minchah of the omer offering is also disqualified if it is brought having in mind the wrong minchah. The reason he gives is that the omer is specifically brought in order to permit the new grain for the entire nation, and because it fails in this regard, it is no longer valid as a minchah. Rav also notes that this would also be the case for an asham of a nazir or of a metzora which were slaughtered with the wrong intent. These offerings are brought in order to permit the nazir to renew his count of days which were interrupted with exposure to tum'ah, and a metzora is supposed to be allowed into the camp. When the offering fails to permit, it is totally disqualified.

The Gemara notes that the asham of a thief and the asham of me'ilah for one who transgresses against the property of the holy do not become disqualified when their service is done for the purpose of a different offering, and the reason for this is that these offerings are brought for atonement (כפרה), which is not the same as the offerings of a nazir and metzora which are brought to permit (להתיר). The difference is that we find offerings which are for atonement which are sometimes brought even after the death of its owner. Similarly, an offering which is for atonement which is slaughtered for the wrong offering may still be offered. An offering that is designed to permit may not be brought if it is not slaughtered for the right purpose.

As an illustration of this distinction, the Gemara cites the Mishnah in Kinnim (2:5) of a woman who gave birth. If she cannot afford to bring a sheep and a bird, she brings two birds, one as a chattas and one as an olah. With the chattas, the woman is purified to be able to eat sanctified foods, and with the olah, she achieves atonement. If the woman brought her chattas and then she died, her rela-

HALACHAH Highlight

Children bringing a korban for their deceased mother

ביאור יורשין עולתה

Her heirs must bring her olah

Lechem Mishnah¹ points out what appears to be a contradiction between two rulings of Rambam concerning the obligation of heirs to offer korbanos for their mother who died. Rambam² rules that if a woman gave birth and she died before she could bring the olah for childbirth, her heirs are obligated to bring that korban. In contrast, when discussing the Olas Re'iyah, Rambam³ rules that heirs are obligated to bring their mother's korban only if she had designated an animal during her lifetime. This implies that had she not designated an animal during her lifetime her heirs would be exempt from bringing a korban on behalf of their deceased mother. Why is it that regarding the Olas Re'iyah, Rambam ruled that the children must bring their mother's korban only if she designated an animal but regarding the olah for childbirth he did not add this qualification? He suggests based on Yerushalmi (Chagiga 1:10) that perhaps the difference relates to whether the mother bequeathed land to her heirs. When she bequeaths land, they must bring her korbanos even when she did not designate an animal but if she did not bequeath land they are not obligated to bring her korbanos unless she designated the animal. The answer,

(Insight...continued from page 1)

tives may bring her olah. If, however, she brought her olah before she died, the relatives may not bring the chattas after her death. We see from here that the chattas, which is designed to permit her to eat sanctified foods, may not be brought after death. The olah, which is for atonement, may be brought after her death. ■

however, is admittedly difficult since Rambam does not indicate anything related to this distinction in these halachos.

Or Sameach⁴ asserts that Rambam disagrees with Yerushalmi and is of the opinion that even if the mother bequeathed land to her children they are obligated to bring her korban only if she set aside an animal during her lifetime. The basis of the dispute is whether Biblically, there is a minimum amount that one must spend on the Olas Re'iyah. Yerushalmi maintains that there is a Biblical minimum and that creates a debt. That debt puts a lien on one's property and as such the debt is collected from the heirs even if their mother did not set aside an animal as a korban. Rambam maintains that there is no Biblical minimum and no debt is generated which means that there is no lien on the mother's property. As such the children are only obligated to bring a korban if their mother had designated a korban during her lifetime. ■

1. לחם משנה פ"א מהלי חגיגה ה"י.

2. רמב"ם פ"א מהלי מחוסרי כפרה ה"יג.

3. רמב"ם פ"א מהלי חגיגה ה"י.

4. אור שמח על הרמב"ם הני"ל. ■

STORIES Off the Daf

Rebuke that Will be Heard

"אם לא יגיד ונשא עונו..."

The author of the Glilei Zahav learns a very practical lesson from a verse brought on today's daf. "A person with the ability to protest his friend's wrongdoings and fails to do so is considered to have done these sins himself, as our sages tell us in Shabbos.¹ This halachah is alluded to in the verse, 'אם לא יגיד ונשא עונו'—If one fails to tell, he will bear his sin.' Although literally this verse discusses one who refuses to testify on behalf of his friend, we can also explain this in terms of rebuke: Failing to give rebuke to another makes one responsible. One is

considered to have done the sin if he had the power to prevent it but couldn't be bothered to take the sinner to task."

He added, "In this vein we can also explain the extra vav in the word לוא, which indicates 'to him.' This teaches that one is only held responsible if he failed to give rebuke to a person who may be moved to change his ways. Regarding one who is certain to ignore rebuke our sages say that there is a mitzvah not to say what he knows will not be accepted."

Those who learned at Yeshivas Lomza when Rav Eliyahu Dushnitzer, zt"l, was mashgiach, were astounded by the sensitive manner in which he gave the students rebuke. He was always good-natured and, with a sweet smile on his face, would gently explain where the stu-

dent had erred.

He wouldn't leave before saying to the young man, "Please forgive me."

Naturally this would surprise the bochur. After all, why should the Mashgiach apologize?²

But the bochur was not left to puzzle this over for long. "Surely you wonder why I ask your pardon. Our sages tell us that just as it is a mitzvah to offer rebuke where it will be heard, it is also a mitzvah to refrain from saying what will not be accepted. I therefore apologize if, chas v'shalom, you are in the second category. Not only did I fail to fulfill the mitzvah, I also caused you unnecessary pain. For this, I apologize."³ ■

1. שבת דף נד

2. גלילי זהב, ויקרא, ה' א'.

3. לקח טוב, דברים, א' א' ■