



OVERVIEW of the Daf

1) **MISHNAH (cont.):** The Mishnah teaches the halacha for animals designated as korbanos that become intermingled with animals that may not be brought as korbanos but are not prohibited from benefit. The Mishnah also discusses the halacha of an animal designated as a korban that becomes intermingled with unconsecrated, unblemished animals. The last case discussed by the Mishnah is different varieties of korbanos that become intermingled one with the other.

2) Clarifying the Mishnah

The reason the beginning of the Mishnah uses the term **אפילו** is explained.

It is noted that the teaching of the Mishnah already appears in another Mishnah.

R' Ashi explains why two Mishnayos are needed to teach this halacha.

It is noted that another ruling in our Mishnah appears elsewhere.

The reason for the repetition is explained.

Another challenge to the necessity for a ruling in the Mishnah is presented. ■

REVIEW and Remember

1. What is the legal status of an animal that killed someone according to the testimony of a single witness?

2. What is the legal status of an animal received in exchange for a dog?

3. What is done with the collection of animals when an animal designated as a korban becomes intermingled with unconsecrated animals?

4. What is the meaning of the Mishnah's word **אפילו**?

Today's Daf Digest is dedicated
 The Robinson family
 In memory of their grandmother
מרת רחל מרים בת ר' ישראל ע"ה

Distinctive INSIGHT

The mixing of qualified and disqualified animals

ירעו עד שיסתאבו וימכרו ויביא בדמי היפה שבהן מאותו המין

The Mishnah at the beginning of the perek dealt with cases where animals which were designated to be used for offerings were mixed with other animals which were disqualified to be used as offerings. One category is where the mixture was with animals which had been used for sinful purposes.

There are three basic approaches among the Rishonim to explain our Mishnah. Rashi (ד"ה ירעו) and R' Obadiah of Bertinoro explain that the case is where one animal which was designated for an offering became mixed with many animals which were disqualified to be offerings. Therefore, we cannot permit the entire combined group for non-holy use, because we know that there is one animal among the group which is consecrated. We also may not take money and redeem the consecrated animal among the group so that it will no longer have a status of being holy, because redemption is not allowed for a consecrated animal that it physically fit (as opposed to if it had a blemish). The only solution is to allow the group of animals to graze until every one of them develops a blemish, at which time the entire group may be sold for secular use, and the money which is received for the most expensive animal should be used to redeem the consecrated animal, wherever it is, and that money is to be designated for purchase of an offering (Tiferes Yisroel 8:1, #14).

Tosafos (ד"ה ויביא) and Rambam (Hilchos P'sulei HaMukdashim 6:2) explain that the case is where one disqualified animal became mixed in with many animals which were designated for offerings. Live animals are distinct and important, so the rules of outnumbering do not apply. We cannot use this group for offerings now, because of the one disqualified animal among them. The only solution is to allow the entire group to graze until they each develop a blemish. They are then sold, and the money which is received for the least expensive animal is set aside for secular use. The monies for the other animals are to be used for purchase of animals for offerings. Tosafos acknowledges that the words of the Mishnah suggest that we take "the money of the best animal" for an offering, which fits better according to Rashi's explanation, but, Tosafos notes that it is better to explain that this first part of the Mishnah is where one disqualified animal mixes with many eligible animals, as this matches the case in the later part of the Mish-

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HALACHAH Highlight

“Lishmah” for something that is unspecified

קדשים בקדשים מין במינו

If korbanos of the same kind become intermingled etc.

Shulchan Aruch¹ rules that a גט may be written for a man even though his wife is not together with him as long as the witnesses who sign the גט know the man and his wife. Rashbam² explains that it is necessary to confirm the identity of the couple in order to assure that someone is not having a גט written for another man in order to allow his wife to collect her kesubah. Rema³ adds that it is also necessary for the scribe to recognize the couple. Vilna Gaon⁴ explains that the scribe is obligated to write the גט for the sake of the couple (לשמה) and if he does not know the couple he will not be able to write the גט for the sake of this couple. Get Pashut⁵ points out that it seems that Shulchan Aruch maintains that it is not necessary for the scribe to know the couple in order to be able to write the גט for the sake of this couple. As long as the husband instructs the scribe to write a גט for him it is considered “for the sake of the couple” even though the scribe does not personally know them.

Avnei Nezer⁶ researched this question of whether it is considered for “its own sake” if someone does something when he is not personally familiar with all the facts. In the midst of his

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nah, where one שור הנסקל mixes in with thousands of eligible animals.

Earlier (70b), Rashi explained that the case is where one disqualified animal mixed with one consecrated animal. This is where we wait until they develop blemishes, and then sell them. ■

analysis he cites our Gemara. The Gemara discusses the case of korbanos that became intermingled amongst other animals of their own kind. The halacha is that all the korbanos are offered since we assume that each animal will be credited to its rightful owner. Although it is necessary for a korban to be offered for the sake of its owner, bringing a korban in this manner without knowing specifically for whom it is offered is acceptable. This would seem to support Shulchan Aruch’s position that unspecified intent qualifies as “for its own sake.” Avnei Nezer, however, backs off from this position since it is always assumed that korbanos are offered with the correct intent since the animal was previously declared sacred, in contrast to a גט when there is no pre-existing circumstance that indicates that it is being written for the sake of this couple and a greater degree of clarification is necessary. ■

1. שר"ע אה"ע סי' ק"כ סע' ג'
2. רשב"ם ב"ב קס"ז ד"ה שיהא וד"ה מגרש
3. רמ"א שם
4. ביאור גר"א שם סק"ט
5. גט פשוט ס"ק י"ג
6. שו"ת אבני נזר אה"ע סי' קצ"ח אות ג' ■

STORIES Off the Daf

“According to His Path”

הכל יכולין להתערב

The Alter of Kelm, zt”l, gave a very decisive lesson about how we should comport ourselves at all times. “חונך חנוך על פי דרכו”¹. From this verse we see that each youth must be educated in the right path for him. We can understand from this that every person must vigilantly educate himself to act as is fitting in each situation.

“For example, we certainly must speak with restraint and are better off not speaking in front of one who is older and has more experience as we find in Avos.² But that does not apply to those who scoff the Torah and its values. Regarding such people we must certainly

speak if we can do so with understanding, enabling others to see how false their opinions are.

“As we find in Meseches Derech Eretz, one must not be sad where people are joyous or overtly happy when people are sad.³ We must learn to speak with talmidei chachomim as is fitting and with the ignorant in a different manner. To those who are truly wise and will appreciate it, we should give moral direction to help them improve. We must refrain from giving the ignorant rebuke since this will not help. On the contrary, they will resent such intrusion and react angrily.

“The same is true in every regard. Sometimes one action is appropriate and other times we must act in the exact opposite manner. We must learn how to deal with the challenges of every encounter. Sometimes the best path is to pre-

tend to fall asleep. Sometimes, we must act with decisiveness. In other situations it is better to be deliberate. The main thing is to learn how to act in each situation and educate ourselves slowly but surely to improve.”⁴

On today’s daf we find that any korban may become mixed up with any other except chatas and asham which atone for outright sins. As is well known, the root of the word korban is קרוב. This teaches that the proper path to moral and spiritual advancement can easily be confused. Even when we do not act overtly sinful, we must be vigilant that our every act generates kiddush Hashem, and not the opposite. ■

1. משלי כב:ו
2. אבות ה:ט
3. דרך ארץ רבה פ"א
4. בית קלם ע' ר"ל