

קָדָשִׁים דְּבָנֵי – קָדָשִׁים דְּבָנֵי
 הַרְצָאָה: Offerings in general are brought for appeasement before God. Specifically, sin-offerings and guilt-offerings are brought to atone for transgressing a prohibition, whereas a burnt-offering is brought to atone for failure to observe a positive mitzva. Nevertheless, *Tosafot* explain that burnt-offerings are brought to atone for failure to observe a positive mitzva. Rashi adds that even peace-offerings, which are not brought for atonement, are brought as gifts that find favor before God and can therefore be classified as offerings that appease (*Turei Even*).

אֵי צִטְרוֹיְךָ, סֶלְקָא דְעֵתְךָ אָמִינָא: הֵינֵי מִיְלֵי בְכוֹר, דְּלֹא בֵר הַרְצָאָה הוּא. אֲבָל קָדָשִׁים, דְּבָנֵי הַרְצָאָה נִיגְהוּ אִימָא לֹא לִירְצוֹ. קָא מְשַׁמְעֵ לָן.

The Gemara answers: The first derivation cited was necessary. Had this *halakha* been learned only from the case of a firstborn animal, it might enter your mind to say that this *halakha* that the offering is not disqualified applies only to a firstborn, which is not for appeasement, i.e., it does not come to atone for any sin, not even for the neglect of a positive mitzva, but is merely a gift for the priest. But as for other consecrated animals, which appease,^N their role being to atone for the sins of their owners, one might say that they do not appease when brought late. Therefore, the verse teaches us that this is not so. Rather, the other offerings are also not disqualified when brought late.

וְאִבְתֵּי

The Gemara asks further: But still, it may be argued that this derivation is unnecessary,

לֹא בְּאִשְׁתְּךָ חֲטָא – לֹא בְּאִשְׁתְּךָ חֲטָא
 According to this statement, if one refuses to fulfill his vow or lacks the means to do so, he may be punished through his wife for failing to fulfill the vow; however, if he has the means to fulfill the vow and delays fulfilling it, he is not punished in this way. Rashi and the *Petaḥ Einayim* cite an opinion that does not distinguish between one who refuses to fulfill his vow and one who is late in doing so (see *Bereishit Rabba* 37 and 81).

Perek I

Daf 6 Amud a

מִדְּבַן עֲזַאי נִפְקָא. דְּתַנְיָא. בְּן עֲזַאי אוֹמֵר: "אוֹתוֹ"

as this *halakha* is derived from that which ben Azzai said, as it is taught in a *baraita* that ben Azzai says: The verse states: "And if any of the flesh of the sacrifice of his peace-offering be eaten at all on the third day, it shall not be accepted, neither shall it be imputed to him who offers it, it shall be *piggul*" (Leviticus 7:18).

מַה תִּלְמוּד לֹוֹמֵר? לְפִי שְׁנַאֲמַר "לֹא תֵאָחֵר לְשִׁלְמוֹ" שׁוֹמֵעַ אֲנִי אֶף מֵאַחֵר נִדְרוֹ בְּ"בֵל יִרְצָה". תִּלְמוּד לֹוֹמֵר: "אוֹתוֹ" אוֹתוֹ בְּ"לֹא יִרְצָה", וְאִין מֵאַחֵר נִדְרוֹ בְּ"לֹא יִרְצָה".

For what purpose does the verse state the word "it"? Since elsewhere it states: "When you shall vow a vow to the Lord your God, you shall not delay paying it; for the Lord your God will surely require it from you, and it would be sin in you" (Deuteronomy 23:22), I might have interpreted from this verse that even one who is late in paying his vow is included in: It shall not be accepted. Therefore, the verse states "it." It, an offering disqualified by improper intention [*piggul*], is included in the *halakha* of: "It shall not be accepted," but the animal of one who is late in paying his vow is not included in the *halakha* of: "It shall not be accepted."

אֵלָא: בְּךָ חֲטָא, וְלֹא בְּאִשְׁתְּךָ חֲטָא.

The Gemara rejects what was said above; rather, the explanation of the verse is as follows. The phrase: "And it would be sin in you" comes to teach that there would be a sin in you, but there would not be a sin in your wife.^N

סֶלְקָא דְעֵתְךָ אָמִינָא: הוּאִיל וְאָמַר רַבִּי יוֹחָנָן, וְאִי תִימָא רַבִּי אֶלְעָזָר: אִין אִשְׁתּוֹ שְׁל אָדָם מֵתָה אֶלָּא אִם בְּן מְבַקְשִׁין מְמוֹן מְמוֹן וְאִין לוֹ, שְׁנַאֲמַר: "אִם אִין לָךְ לְשִׁלְמִים לְמָה יִקַּח מִשְׁכַּבְךָ מִתַּחְתֶּיךָ", אִימָא בְּהַאי עוֹן דְּ"בֵל תֵּאָחֵר" נִמִּי אִשְׁתּוֹ מֵתָה. קָא מְשַׁמְעֵ לָן.

It was necessary to say that the lateness is not imputed to the other members of one's household for the following reason: It might enter your mind to say: Since Rabbi Yohanan said, and some say that it was Rabbi Elazar who said: A person's wife dies only because others demand of him money and he does not have means with which to pay, as it is stated about one who commits himself to guarantee a loan: "If you have nothing with which to pay, why should he take away your bed from under you?" (Proverbs 22:27). The verse warns one who takes a loan that incurring debt may result in one losing the very sheets that he sleeps on to his creditor. The Gemara understands this homiletically: Why should you cause God to take away your wife, i.e., she who shares your bed, so that she dies? Consequently, you might say that one's wife also dies for this transgression of the prohibition: You shall not delay, in that one fails to fulfill his commitment. Therefore, the verse teaches us that this is not so. Rather, this sin is imputed to him alone.

Teaches that he must be forced – מְלִמְד שְׂכוּמִין אוֹתוֹ – *Tosafot* note that this would seem to be included in the principle that the court has the authority to compel a person to observe any positive mitzva. *Tosafot Yeshanim* and *Tosefot HaRosh* explain that since offerings must be brought “that he may be accepted before the Lord” (Leviticus 1:3), one might have thought that no coercion whatsoever may be used. Therefore, a special verse was needed to teach that the court may force one until he says that he wants to bring it.

Where one said that he vowed but did not yet set aside – דָּאָמַר וְלֹא אֶפְרִישׁ – According to *Tosafot*, Ran, and Ritva, there is a twofold derivation for both the case where the person vowed to bring an offering but did not set aside a specific animal, and the other case where one set aside a specific animal for his vow but did not yet sacrifice it on the altar. The repeated derivation is necessary to apply these *halakhot* to both the positive mitzva and the prohibition. Rabbeinu Hananel and the Rambam disagree, and understand that this doubling indicates that coercion may be used after a person has vowed to bring an offering and after he has set aside a specific animal for the vow, but it was not necessary for the positive mitzva or the prohibition. The Ritva explains that the verse: “That which is gone out of your lips,” is referring to the case where one vowed but did not set aside an animal, and the verse: “He shall offer it,” is referring to the case where one set aside a specific animal but did not yet sacrifice it. However, most of the later authorities (*Penei Yehoshua*; *Turei Even*; *Arukh LaNer*; *Minhat Hinukh*) say that it is not clear which verse is referring to which case, but the redundancy teaches that the *halakhot* apply equally to both cases.

Speech is nothing – דִּבְרוּרָא לֹא כְלוּם הוּא – This means that if one vows to bring an item as an offering to the Temple, the item is considered as having become the legal property of the Temple from the time of the pledge, even if the item has not yet been designated (*Sefat Emet*).

HALAKHA

Coercion by the court – עִישׂוּי בְּבֵית דִּין – If one is obligated to bring a burnt-offering, a peace-offering, or another offering, the court coerces him to fulfill his obligation, and it may seize his property until he brings his offering. The court is commanded to coerce him immediately so that he will sacrifice his offering on the next Festival (*Rambam Sefer Avoda, Hilkhot Ma'aseh HaKorbanot* 14:15, 17).

Until he says I want to – עַד שֵׂיאֵמַר רוּצָה אָנִי – When the court coerces a person to sacrifice an offering, or similarly, to give his wife a bill of divorce, it does not coerce him into doing so entirely against his will; rather, it applies pressure and imposes punishments until the person agrees to do it on his own (*Rambam Sefer Avoda, Hilkhot Ma'aseh HaKorbanot* 14:16).

Where one said and where one set aside – דָּאָמַר וְדָאָפְרִישׁ – Whether a person vowed to bring an offering but did not yet set aside a specific animal, or he set aside a specific animal but did not yet sacrifice it on the altar, he transgresses the prohibition against delaying if he does not fulfill his vow at the appropriate time (*Rambam Sefer Avoda, Hilkhot Ma'aseh HaKorbanot* 14:16).

תָּנוּ רַבָּנַן: “מוֹצֵא שְׂפָתַיךָ” זוּ מִצְוֹת עֲשֵׂה. “תִּשְׁמֹר” זוּ מִצְוֹת לֹא תַעֲשֶׂה. “וְעָשִׂיתָ” אֹהֲרָה לְבֵית דִּין שְׂיַעֲשׂוּךָ. “כֹּאֲשֶׁר נִדְרָתָ” זֶה נִדְר. “לֵה” אֱלֹהֶיךָ אֵלּוּ חֲטָאוֹת וְאִשְׁמֹת עוֹלוֹת וּשְׁלָמִים. “נִדְבָה” כְּמִשְׁמַעוּ. “אֲשֶׁר דִּבַּרְתָּ” אֵלּוּ קִדְשֵׁי בְדֻקַּת הַבַּיִת. “בְּפִיךָ” זוּ צִדְקָה.

אָמַר מַר: “מוֹצֵא שְׂפָתַיךָ” זוּ מִצְוֹת עֲשֵׂה. לָמָּה לִּי מִיּוֹבֵאתָ שְׂמָה וְהַבְּאֵתָם שְׂמָה? נִפְקָא! “תִּשְׁמֹר” זוּ מִצְוֹת לֹא תַעֲשֶׂה. לָמָּה לִּי מִיּוֹבֵאתָ לְשָׁלְמוֹ? נִפְקָא!

“וְעָשִׂיתָ” אֹהֲרָה לְבֵית דִּין שְׂיַעֲשׂוּךָ. לָמָּה לִּי מִיּוֹבֵאתָ אוֹתוֹ? נִפְקָא. דִּתְנֵינָא: “קָרִיב אוֹתוֹ” מְלִמְד שְׂכוּמִין אוֹתוֹ. יְכוּל בְּעַל כְּרַחֵ – תְּלַמְּדוּ לְאָמַר: “לְרוּצוֹנוֹ.” הֵא כִּינְעִיד? כּוּפִין אוֹתוֹ עַד שֵׂיאֵמַר רוּצָה אָנִי.

חַד דָּאָמַר וְלֹא אֶפְרִישׁ, וְחַד אֶפְרִישׁ וְלֹא אֶקְרִיב.

וְצָרִיכָא; דְּאִי אֲשַׁמְעִין אָמַר וְלֹא אֶפְרִישׁ מִשּׁוּם דְּלֹא קָיָמָה לְדִבְרוּיָהּ, אֲבָל אֶפְרִישׁ וְלֹא אֶקְרִיב אִימָא: כֹּל הֵיכָא דְאִיתִיהּ בֵּי גֵזָא דְרַחֲמָנָא אִיתִיהּ. צָרִיכָא.

וְאִי אֲשַׁמְעִין אֶפְרִישׁ וְלֹא אֶקְרִיב דְּקָא מִשְׁהִי לִיהּ גְּבִיָה. אֲבָל אָמַר וְלֹא אֶפְרִישׁ אִימָא דִּיבּוּרָא לֹא כְלוּם הוּא. צָרִיכָא.

S The Sages taught in a *baraita*: The verse states: “That which is gone out of your lips you shall keep and do; as you have vowed as a gift to the Lord your God, which you have promised with your mouth” (Deuteronomy 23:24). “That which is gone out of your lips”; this is a positive mitzva. “You shall keep”; this is a prohibition, as the phrase “you shall keep” is a warning to keep oneself from sinning. “And do”; this is an admonition to the court to make you fulfill your vow. “As you have vowed”; this is referring to a vow-offering. “To the Lord your God”; this is referring to sin-offerings, guilt-offerings, burnt-offerings, and peace-offerings, teaching that one must keep his word and bring them. “As a gift”; this is understood in its literal sense to be referring to a gift-offering. “Which you have promised”; this is referring to objects consecrated for Temple maintenance. “With your mouth”; this is referring to vows of charity, to which one commits himself with his mouth.

The Gemara clarifies the details mentioned in this *baraita*. The Master said: “That which is gone out of your lips”; this is a positive mitzva. Why do I need this derivation? Isn’t the positive mitzva derived from the verse: “And there you shall come; and there you shall bring your burnt-offerings and your sacrifices, and your tithes, and the offering of your hand, and your vows, and your gift-offerings, and the firstborn of your herd and of your flock” (Deuteronomy 12:5–6)? The *baraita* continues: “You shall keep”; this is a prohibition. Why do I need this derivation; this is derived from the verse: “You shall not delay paying it” (Deuteronomy 23:22).

“And do”; this is a warning to the court to make you fulfill your vow. Why do I need this derivation? This rule is derived from the verse: “He shall offer it” (Leviticus 1:3), as it is taught in a *baraita*: The verse states: “He shall offer it,” which teaches that he must be forced^h to bring his offering.^h One might have thought that he may be forced to bring his offering even against his will. Therefore, the verse states: “In accordance with his will” (Leviticus 1:3). How so? The court coerces him until he says: I want to^h bring the offering. Now, since all of these *halakhot* are already known from other sources, what is the point of this repetition?

The Gemara answers: One set of verses is referring to a case where one said that he vowed to bring an offering but did not yet set asideⁿ a specific animal for his vow, and one set of verses is referring to a case where he set aside a specific animal for his vow but did not yet sacrifice it on the altar.^h

And it is necessary to teach the *halakha* in both cases, as had the Torah taught us only about the *halakha* of the case where one said that he vowed to bring an offering but did not yet set aside a specific animal for his vow, one might have said that only in this case has he transgressed because he did not keep his word; however, if he set aside a specific animal for his vow but did not yet sacrifice it on the altar, one might say that anywhere that it is, it is in the treasure house of the Merciful One, as the world and everything in it belongs to God, and therefore it makes no difference if he delays in bringing it to the Temple. Therefore, it is necessary to teach that even when one has not set aside a specific animal he transgresses the prohibition.

And had the Torah taught us only about the case where one set aside a specific animal for his vow but did not yet sacrifice it on the altar, one might have said that only in this case has he transgressed because he is keeping the animal for himself. But if he said that he vowed to bring an offering but did not yet set aside a specific animal for his vow, one might say that his mere speech is nothing,ⁿ and there is no transgression provided he has not actually set aside an animal. Therefore, it is necessary to teach the *halakha* in both cases.

נדר ונדבה – נדר ונדבה – When one undertakes to bring a burnt-offering, it is called a vow-offering; when he undertakes to bring a particular animal as a burnt-offering, it is called a gift-offering. The difference between the two is that in the case of a vow-offering, if the animal that he later sets aside for the offering dies or is stolen, he is obligated to pay restitution for it, whereas in the case of a gift-offering, if the animal dies or is stolen, he is not obligated to sacrifice another animal in its place (Rambam *Sefer Avoda, Hilkhot Ma'aseh HaKorbanot* 14:4, 6).

On the condition that I will not be liable to replace it – על מנת שאיני חייב באחריותה: If one vows to bring a burnt-offering on condition that he is not obligated to replace the animal that he sets aside if it dies or is stolen, it is treated as a gift-offering and he is not obligated to replace it (Rambam *Sefer Avoda, Hilkhot Ma'aseh HaKorbanot* 14:6).

You shall not delay with regard to vows of charity – בל תאחר בצדקה – Pledges of charity are subject to the *halakha* of the prohibition against delaying. If one pledges to give charity and poor people are present, but he does not distribute the charity, he immediately transgresses this prohibition. If poor people are not present, he must set aside the sum he vowed to give and save it until he finds a poor person. The Rema writes that this applies in a case where one vowed to give the money himself to the poor person. However, with regard to money that is pledged to the community charity collector, one does not transgress the prohibition until the collector demands it from him. He must inform the collector of his vow, so that the latter will know to demand it of him. This applies only when one pledges to give charity without specifying the recipient. However, if one pledges to give charity to a specific person, he transgresses the prohibition only when he encounters that person. It is permitted to set aside money for charity with the stipulation that one will distribute it as he sees fit (*Mordekhai; Shulhan Arukh, Yoreh De'a* 257:3).

ומי מצית אמרת דאמר ולא אפריש? והא נדבה כתיבא, ותנן: אי זהו נדר? האומר: הרי עלי עולה. ואי זו היא נדבה? האומר: הרי זו עולה.

The Gemara raises a difficulty: **How can you say that the Gemara is dealing with a case where one merely said that he vowed to bring an offering but did not yet set aside a specific animal? Isn't a gift-offering mentioned in the verse, and we learned in a mishna: What is a vow-offering? It is an offering brought by one who says: It is incumbent upon me to bring a burnt-offering. And what is a gift-offering? It is an offering brought by one who says, concerning a particular animal: I undertake to bring this animal as a burnt-offering.**

ומה בין נדר לנדבה? נדר, מת או נגנב חייב באחריותו; נדבה, מתה או נגנבה אינו חייב באחריותה!

And what is the difference between a vow-offering and a gift-offering?^H With regard to **vow-offerings**, if the animal **died or was stolen**, the one who took the vow is **obligated to pay restitution** for it. He undertook to bring a burnt-offering without specifying the animal, and therefore until he brings that offering he is not absolved of his obligation. With regard to a **gift-offering**, however, if the animal **died or was stolen**, he is **not obligated to pay restitution** for it because he undertook to bring a specific animal, and that is no longer possible. In the case of a gift-offering, then, a specific animal must have already been set aside as an offering.

אמר רבא: משפחת לה, כגון דאמר "הרי עלי עולה על מנת שאיני חייב באחריותה".

Rava said: **You can find a case of a gift-offering where a specific animal has not yet been set aside; for example, where one said: It is incumbent upon me to bring a burnt-offering on the condition that after I set an animal aside in fulfillment of my vow, I will not be liable^N to replace it^H should the animal die or be stolen.**

"בפיך" זו צדקה. אמר רבא: וצדקה מיתחייב עליה לאלתר. מאי טעמא? דהא קיימי עניים.

S The *baraita* stated: **"With your mouth"**; this is referring to **vows of charity**.^{HN} Rava said: **In the case of vows of charity, one is liable immediately** if he is late in distributing the charity that he had promised to give. **What is the reason for this halakha?** It is **that poor people to whom the charity may be given exist** in all places, and so the charity can be distributed to them immediately, unlike an offering, which must be brought to the Temple.

פשיטא! מהו דתימא: כיון דבעניינא דקרבתות כתיבא עד דעברי עליה שלשה רגלים בקרבנות. קא משמע לן: התם הוא דתלינהו רחמנא ברגלים, אבל הכא לא, דהא שבחי עניים.

The Gemara asks: It is **obvious** that charity must be given to the poor without delay. The Gemara explains: **Lest you say that since the halakha pertaining to vows of charity is written in the passage dealing with offerings**, perhaps one does not transgress the prohibition against delaying **until three Festivals have passed**, as is the *halakha* with regard to **offerings**, therefore Rava teaches us that this is not so. Rather, **there**, with regard to the offerings, **the Merciful One made the timing of the transgression dependent upon the time of the Festivals**, when one must go on pilgrimage to the Temple. **However, here**, with regard to charity vows, this is **not so because poor people who are ready to accept charity are found in all places.**

אמר רבא: כיון שעבר עליו רגל אחד עובר בעשה.

Rava said: Although, according to most opinions one transgresses the prohibition against delaying only after three Festivals have elapsed, **once even one Festival has passed** and he has not sacrificed the offerings that he vowed to bring, **he immediately violates a positive mitzva.**^N

NOTES

על מנת שאיני – על מנת שאיני – I will not be liable: On the condition that I will not be liable to replace it which is written in the Torah, the vow is null and void. However, that principle does not apply here because one who stipulates such a condition when undertaking to bring an offering has not necessarily contradicted Torah law; rather, he has simply obligated himself to bring a gift-offering as opposed to a vow-offering (Rosh).

In a place where there are poor people, one violates the prohibition against delaying immediately if he delays giving the charity that he has pledged. The *baraita* is referring to a place where there are no poor people. There one need not go out in search of a needy person until three Festivals have passed, and only then is he liable if he fails to do so. This is the opinion of the Rif (see *Penei Yehoshua, Tosafot, Rabbi Aharon HaLevi, and Ritva*).

Others hold that in the case of charity, one who does not fulfill his commitment immediately transgresses the positive mitzva to fulfill one's vow, but the prohibition against delaying is not transgressed until three Festivals have passed. Rava's comment: Because poor people are found there, merely explains why the positive mitzva applies immediately, but not that

the *halakha* differs if there are actually poor people present (Rashba; Ran, citing the Rid). According to a third opinion, one who fails to distribute the charity that he has pledged immediately transgresses the prohibition against delaying, regardless of whether or not there are poor people present. The rule of three Festivals is not relevant to charity. Charity is mentioned in the *baraita* cited above only incidentally to the topic of delaying (Ran; Rambam).

Once one Festival has passed he violates a positive mitzva – כיון שעבר עליו רגל אחד עובר בעשה: The author of the *Turei Even* writes that one transgresses an additional positive mitzva with each Festival that passes until he fulfills his vow. The Jerusalem Talmud can also be understood in this manner.

בל תאחר – You shall not delay with regard to vows of charity – בצדקה: The commentaries disagree about Rava's position with regard to the positive mitzva and the prohibition against delaying as it applies to charity. Some distinguish between a place where there are poor people and a place where there are not.

PERSONALITIES

Rabbi Papeyyas – רבי פפייס: Rabbi Papeyyas is mentioned among the Sages of Yavne in the generation of the destruction of the Temple, and he seems to have been a younger contemporary of Rabbi Yehoshua. Several of his testimonies and halakhic and aggadic statements are found in the Mishna and other sources. Nothing further is known about his life.

The name Papeyyas is from the Greek παππίας, pappias, which literally means father or grandfather. It came to mean gate guard. A name with the same meaning is found in Hebrew: Sheariah (I Chronicles 8:38), from the word sha'ar, meaning gate. Alternatively, it is another form of the Latin name Pappus.

HALAKHA

The offspring of peace-offerings – ילד שלמים: The offspring of a peace-offering is treated like a peace-offering with regard to all of its halakhot, in accordance with the testimony of Rabbi Yehoshua and Rabbi Papeyyas (Rambam Sefer Korbanot, Hilkhot Temura 4:1).

מיתבני: העיד רבי יהושע ורבי פפייס על וְלֹד שְׁלָמִים שִׁיקָרֵב שְׁלָמִים. אָמַר רַבִּי פַּפֵּיִס: אֲנִי מֵעִיד שֶׁהִיְתָה לָנוּ פֶּרֶה שֶׁל זִבְחֵי שְׁלָמִים וְאֶכְלָנוּהָ בַּפֶּסַח, וְאֶכְלָנוּ וְלֹדָהּ שְׁלָמִים בַּחֹג.

בְּשִׁלְמָא בַּפֶּסַח לֹא אֶקְרְבוּהָ אִימור דְּמַחֲוֵי זְמַן הֹוּהּ. אֵלֵא וְלֹדָהּ בַּעֲצֵרַת הַיְכִי מִשְׁהִי לָהּ וְעַבְרֵי עֲלֶיהָ בַּעֲשָׂה!?

אָמַר רַב זְבִיד בְּשֵׁם רַבָּא: בְּגוֹן

The Gemara raises an objection from the following mishna: Rabbi Yehoshua and Rabbi Papeyyas⁸ testified about the offspring of peace-offerings.¹¹ They said that if the mother animal was consecrated before it conceived or during its pregnancy, the offspring, too, must be sacrificed as a peace-offering. Rabbi Papeyyas said: I testify that we once had a cow that was sacrificed as a peace-offering, and we ate it on Passover, and we ate its offspring as a peace-offering on the Festival, i.e., on Sukkot.

The Gemara clarifies the details of this story: Granted, on Passover itself Rabbi Papeyyas and his family did not sacrifice the offspring, as one can say that the animal was lacking the requisite time, i.e., it was less than eight days old, and it is prohibited to sacrifice such a young animal. But how could they delay and not sacrifice the offspring on Shavuot, the first Festival after Passover, if, according to Rava, they would have violated a positive mitzva as soon as the first Festival passed?

Rav Zevid said in the name of Rava: For example, this occurs

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NOTES

Where it was sick – שְׁהִיָּה חוֹלָה: Most of the commentaries understand that it was the offspring that was sick (see Tosafot and the later authorities, who explain that even an animal with a temporary illness may not be sacrificed). Rabbeinu Hananel, however, explains that it was the animal's owner that was sick.

Every day he transgresses – בְּכָל יוֹם וְיוֹם עוֹבֵר: The question has been raised: Why does the Gemara say that he transgresses only every day, and not every hour or every minute that he delays sacrificing the offering? The Meiri explains that since offerings may be brought only during the day and not at night, the period of time following the Festival cannot be seen as a single unit. Rather, it must be treated as separate days, each of which is subject to the prohibition against delaying.

A year without Festivals – שָׁנָה בְּלֹא רִגְלִים: The commentaries disagree about how to understand this passage. According to Rashi and the Rashba, the opinion of this tanna is not in accordance with the opinion of Rabbi Shimon. According to Rabbi Shimon, there is no transgression in the case of a year passing without three Festivals passing. According to Rabbi Zerahya HaLevi, on the other hand, even Rabbi Shimon holds that there is a special prohibition in the case of a year passing without three Festivals, since in that case one transgresses the positive mitzva of: "You shall eat it before the Lord year by year" (Deuteronomy 15:20; see also Ran and Ritva). Tosafot cite the Jerusalem Talmud, in which it is suggested that the case of a year passing without three Festivals would be if the animal were not old enough to be brought as an offering on Passover, or else if it were sick on the Festivals. The Rashba and the Ritva argue that it is preferable to interpret the baraita as referring to an ordinary case, and not one involving unusual circumstances.

HALAKHA

Every day he transgresses – בְּכָל יוֹם וְיוֹם עוֹבֵר: Once three Festivals have passed, one who is late in fulfilling his vow transgresses the prohibition against delaying every single day (Rambam Sefer Avoda, Hilkhot Ma'aseh HaKorbanot 14:15).

שְׁהִיָּה חוֹלָה בַּעֲצֵרַת. רַב אֲשִׁי אָמַר: מֵאִי וְאֶכְלָנוּ וְלֹדָהּ שְׁלָמִים בַּחֹג דְּקָתְנִי? חַג הַשְּׁבוּעוֹת.

וְאִדְךָ: כָּל הַיְכָא דְתַנֵּי פֶסַח תַּנֵּי עֲצֵרַת.

אָמַר רַבָּא: בְּיוֹן שֶׁעָבְרוּ עָלָיו שְׁלֹשָׁה רִגְלִים בְּכָל יוֹם וְיוֹם עוֹבֵר בְּ"בַל תֵּאַחֵר". מִיתְבְּנִי: אֶחָד בְּכוֹר וְאֶחָד כָּל הַקֶּדְשִׁים, בְּיוֹן שֶׁעָבְרוּ עָלֵיהֶם שָׁנָה בְּלֹא רִגְלִים, רִגְלִים בְּלֹא שָׁנָה עוֹבֵר בְּ"בַל תֵּאַחֵר".

וְהֵאֵי מֵאִי תִּיּוֹבְתִיָּה?! אָמַר רַב כְּהָנָא: מֵאֵן דְּקָא מוֹתֵיב שְׁפִיר קָא מוֹתֵיב. מִקְדִּי, תַּנָּא אֵלֵא וְיָ קָא מְהַדֵּר לִיתְנִי: בְּכָל יוֹם וְיוֹם עוֹבֵר בְּ"בַל תֵּאַחֵר"!

in a case where the offspring was sick¹¹ on Shavuot, and therefore it could be brought to the altar only on the next Festival. Rav Ashi said an alternative explanation: What is the statement: And we ate its offspring as a peace-offering on the Festival, coming to teach? This is not referring to the festival of Sukkot, which is the usual meaning of the term the Festival; rather, it is referring to the festival of Shavuot. Therefore, there is no difficulty here whatsoever.

The Gemara asks: And what does the other amora, Rav Zevid, say to this? He argues that anywhere that the tanna teaches using the term Passover, he also teaches using the term Shavuot. In those instances, these two Festivals are mentioned by name, and the term Festival by itself is reserved exclusively for Sukkot.

Rava said: Once three Festivals have passed, every day he transgresses¹² the prohibition: You shall not delay. The Gemara raises an objection from that which is taught in the following baraita: In the case of both a firstborn animal¹³ and all consecrated animals, once a year without three Festivals has passed,¹⁴ or three Festivals have passed without a year elapsing, the owner transgresses the prohibition: You shall not delay.

The Gemara first expresses its astonishment at the question itself: What is this objection? What is the comparison between this ruling and the statement of Rava? Rav Kahana said: He who raises an objection here raises a valid objection, and this is the way the question should be understood. Since the tanna of the baraita is looking for prohibitions to add, and he shows that the prohibition applies in additional cases, then if Rava is correct, let the tanna of the baraita teach that once three Festivals have passed he transgresses the prohibition: You shall not delay, every single day.

BACKGROUND

Firstborn animal – בְּכוֹר: A male firstborn calf, lamb, or kid belonging to a Jew is sanctified from birth and must be given to a priest to be sacrificed on the altar in the Temple (Numbers 18:17–18). If a firstborn animal acquires a physical blemish that disqualifies it from being sacrificed as an offering, it is slaugh-

tered and eaten like any other non-sacred kosher animal. It is prohibited to intentionally inflict a disqualifying blemish on a firstborn animal. A firstborn animal may not be used for any mundane purpose, e.g., working the animal or using its fleece, even if it is blemished.

A year for a firstborn – שְׁנַת לְבוֹנוֹ: The year of a firstborn is a complete lunar year, i.e., twelve months counting by the date, and thirteen months in a leap year (Rambam *Sefer Korbanot, Hilkhot Bekhorot* 1:12).

A year for houses of walled cities – שְׁנַת לְבַתֵּי עָרֵי חוֹמוֹה: With regard to the year following the sale of a house in a walled city during which time the former owner may redeem his property, one counts one complete lunar year, twelve months from counting by the date. In an intercalated year, one includes an additional month (Rambam *Sefer Zera'im, Hilkhot Shemitta VeYovel* 12:5).

NOTES

A full year – שְׁנַת תְּמִימָה: Rabbeinu Hananel and *Tosafot* write that according to Rabbi Yehuda HaNasi, this rule is not unique to houses of walled cities; rather, wherever the Torah speaks of a year without specifying otherwise it is referring to a full year, i.e., a solar year and not a lunar year.

Where one consecrated it after the festival of Passover [Hag HaMatzot] – דְּאֶקְדָּשָׁה בְּתַר חַג הַמַּצּוֹת: Rashi suggests two explanations. According to his first explanation, the Gemara is dealing with a case where one consecrated the animal during the intermediate days of Passover, in which case the solar year is completed at the end of the second month of Adar of the lunar year. According to his second explanation the animal was consecrated after the Festival ended, and the use of the term Adar is not precise. The Ritva adds that Rashi distinguishes here between the festival of Passover, which lasts seven days, and the festival of *Matzot*, which refers exclusively to the first day of Passover.

BACKGROUND

The counting of the days of the year – מִנְיַן יְמוֹת הַשָּׁנָה: In practice, the Jewish calendar does not follow the opinion of Rabbi Shemaya. The lunar month is approximately twenty-nine and a half days, and the months are generally ordered so that one month is full, with thirty days, and the next is short, with twenty-nine days. However, the months of Marḥeshvan and Kislev are not fixed, but instead sometimes have twenty-nine days and sometimes thirty. Therefore, there are three possibilities, or six including leap years, as to the number of days in a year. Sometimes the year follows the usual order, i.e., a thirty-day month followed by a twenty-nine-day month, in which case Marḥeshvan has twenty-nine days and Kislev has thirty. Then the year is 354 days long. Sometimes the year is short, i.e., both Marḥeshvan and Kislev are short, and then the year is 353 days long. In other years the year is full, i.e., both Marḥeshvan and Kislev are full, in which case the year is 355 days. The same applies in a leap year. The extra month of first Adar is always thirty days, but the year can then be full, lasting 385 days, short, lasting 383 days, or following the usual order, lasting 384 days.

וְאִידֶּךָ: תִּנָּא לְמִיקְבָּעִיהּ בְּלֹא קָא מְהַדְרִי, בְּלֹא יוֹתֵרִי לֹא קָא מְהַדְרִי.

And how does the other *amora*, Rava, explain the *baraita*? He understands that the *tanna* is trying to establish the action only as subject to a prohibition, i.e., he merely wishes to set the parameters of the prohibition; but once the action is established as prohibited, he is not looking for additional prohibitions.

גּוּפָא, אֶחָד בְּכוֹר וְאֶחָד כָּל הַקִּדְּשִׁים, בֵּינוֹן שְׁעָבְרוּ עֲלֵיהֶם שָׁנָה בְּלֹא רְגָלִים, רְגָלִים בְּלֹא שָׁנָה עוֹבֵר בְּבֵל תֵּאֲחָזֵר. בְּשִׁלְמָא רְגָלִים בְּלֹא שָׁנָה מְשַׁבַּחַת לָהּ. אֶלָּא שָׁנָה בְּלֹא רְגָלִים הֵיכִי מְשַׁבַּחַת לָהּ?

The Gemara proceeds to discuss the matter itself, i.e., the *baraita* cited above, which stated: In the case of both a firstborn animal and all consecrated animals, once a year has passed, even if three Festivals have not passed, or once three Festivals have passed, even if a whole year has not passed, the owner transgresses the prohibition: **You shall not delay.**¹¹ Granted, it is possible to have three Festivals without a year; you find it because three Festivals can pass in half a year, between Passover and *Sukkot*. **But a year without three Festivals, under what circumstances can you find this case?** How can a year pass without three Festivals also passing?

הֵנִיחָא לְמָאן דְּאֵית לֵיהּ כְּסֻדְרוֹן מְשַׁבַּחַת לָהּ. אֶלָּא לְמָאן דְּלִית לֵיהּ כְּסֻדְרוֹן, הֵיכִי מְשַׁבַּחַת לָהּ?

The Gemara clarifies the question: **This works out well according to the one who is of the opinion that one transgresses the prohibition against delaying only if the three Festivals have passed in their proper order. You can find a year without three Festivals in their proper order, e.g., if one made his vow shortly before *Shavuot*, in which case the year will end before *Shavuot* the following year, but three Festivals in order will not have elapsed until *Sukkot* of the third year. But according to the one who is not of the opinion that the three Festivals must be in their proper order, under what circumstances can you find this case of a year without three Festivals?**

בְּשִׁלְמָא לְרַבֵּי מְשַׁבַּחַת לָהּ בְּשָׁנָה מְעוֹבְרָת, דְּתִנָּא: "שָׁנָה תְּמִימָה", רַבֵּי אֹמְרִי: מוֹנֵה שְׁלֹשׁ מְאוֹת וְשִׁשִּׁים וְחֲמִשָּׁה יוֹם כְּמִנְיַן יְמוֹת הַחֲמֵה.

The Gemara clarifies again: **Granted, according to Rabbi Yehuda HaNasi, you find a year without three Festivals in a leap year, as it is taught in a *baraita*:** In the case of houses of walled cities, with regard to which an owner is given only one year to redeem his home if he sells it, after which it becomes the permanent possession of the purchaser, the verse states: "And if it be not redeemed within the space of a full year" (Leviticus 25:30).¹² How is the year determined? **Rabbi Yehuda HaNasi says: One counts 365 days like the number of the days in a solar year, and not the usual lunar year, which is why it is called a full year.**

וְחֲכָמִים אֹמְרִים: מוֹנֵה שְׁנַיִם עָשָׂר חֲדָשׁ מִיּוֹם לְיוֹם, וְאִם נִתְעַבְּרָה שָׁנָה נִתְעַבְּרָה לוֹ. מְשַׁבַּחַת לָהּ לְרַבֵּי דְאֶקְדָּשָׁה בְּתַר חַג הַמַּצּוֹת, דְּכִי מֵטָא שְׁלֵלָהּ אֶדְר בְּתַרְאָה שָׁנָה מְלֵיאָה, רְגָלִים לֹא מְלוּ. אֶלָּא לְרַבְּנָן, הֵיכִי מְשַׁבַּחַת לָהּ?

And the Rabbis disagree and say: One counts twelve months from day to day, from the date of the sale until that same date twelve months later, and if it is a leap year with an added month, the leap month is for the seller's benefit, i.e., he has thirteen months to redeem his house.¹³ **You can find a year without three Festivals according to Rabbi Yehuda HaNasi.** How so? It is possible in a case where one consecrated the animal after the festival of Passover,¹⁴ so that once he reaches the end of the second month of Adar in a leap year, the year is completed, but the Festivals are not yet completed, as the third Festival is still to come. **But according to the Sages, under what circumstances can you find this case of a year without three Festivals?**

בְּדִתְנֵי רַב שְׁמַעְיָה: עֲצָרָת, פְּעָמִים חֲמִשָּׁה, פְּעָמִים שִׁשָּׁה, פְּעָמִים שִׁבְעָה. הָא בְּיַצְדָּ? שְׁנִיחָן מְלֵאִין חֲמִשָּׁה; שְׁנִיחָן חֲסָרִין שִׁבְעָה; אֶחָד מְלֵא וְאֶחָד חֲסָר שִׁשָּׁה.

The Gemara answers: **As Rav Shemaya taught in a *baraita*: *Shavuot* sometimes occurs on the fifth of Sivan, sometimes on the sixth of Sivan, and sometimes on the seventh. How so?** If both the months of Nisan and Iyyar are full months of thirty days each, the festival of *Shavuot*, which is celebrated fifty days after the second day of Passover, occurs on the fifth of Sivan; if both months are short, with twenty-nine days each, it occurs on the seventh of Sivan; and if one of them is full and the other is short, it occurs on the sixth of Sivan.¹⁵ According to this opinion, if both months were full and the festival of *Shavuot* occurred on the fifth day of Sivan, and one made his vow on the day after *Shavuot*, i.e., the sixth of Sivan, and in the following year both months were short, so that the festival of *Shavuot* occurred on the seventh of Sivan, a whole year would have passed without three Festivals.

Who is the *tanna* who disagrees with Rav Shemaya – מאן – תנא דפליג עליה דרב שמעיה? Some explain this as a general question: Who is the *tanna* who says that there are a fixed number of days in the year and a fixed number of days in each month (Rabbeinu Hananel; *ge'onim*; see *Turei Even*). Rashi and other commentaries, however, understand the question as follows: Who is the *tanna* in the *baraita* who does not mention the case of a year without three Festivals? This implies that he holds that such a case is impossible (see Responsa of *Hakham Tzvi* and the *Penei Yehoshua*).

An heir...with regard to: You shall not delay – יורש...בבל – תאחר: Even according to the *halakha* that a son is obligated by Torah law to bring the offerings owed by his father, some distinguish between the case of a father who left him ancestral land, in which case the son is obligated to bring the offerings, and the case of a father who did not leave him land, in which case the son is not obligated to bring the offerings (Ra'avad; *Meiri*). According to some authorities, no matter what, an heir who has not made the vow himself is not bound by the positive mitzva to bring offerings by their required time (Ritva).

A woman...with regard to: You shall not delay – אשה...בבל תאחר: Most authorities hold that a woman is subject to the prohibition against delaying, relying on the explicit statement in the *Sifrei* on the matter. Others understand that the *Sifrei* demonstrates only that a woman transgresses the prohibition against delaying with regard to obligations that are not dependent on coming to the Temple on the pilgrimage Festivals (*Meiri*; *Sefat Emet*). The point of disagreement is whether to accept the opinion of Rabbi Zeira that a woman is bound by a positive mitzva to rejoice on a Festival with peace-offerings, or to accept the view that even when she participates in the eating of the peace-offerings, this is only because she goes with her husband to Jerusalem and he causes her to rejoice with his offerings (see Rambam *Sefer Korbanot*, *Hilkhot Hagiga* 1:1, and Ra'avad, *Kesef Mishne*, and *Lehem Mishne* there; Rabbi Zerahya HaLevi).

HALAKHA

An heir...with regard to: You shall not delay – יורש...בבל – תאחר: If one vowed to bring an offering and then died, his heir is obligated to bring it in his place, but if the heir is late in doing so he does not transgress the prohibition against delaying, in accordance with the Gemara's conclusion. The early authorities disagree as to whether or not the heir is bound by the positive mitzva to fulfill the vow within the appropriate time (Rambam *Sefer Avoda*, *Hilkhot Ma'aseh HaKorbanot* 14:14).

A woman...with regard to: You shall not delay – אשה...בבל תאחר: If a woman delays the fulfillment of her vow, she transgresses the prohibition against delaying just as a man would, in accordance with the opinion of Rabbi Zeira (Rambam *Sefer Avoda*, *Hilkhot Ma'aseh HaKorbanot* 14:14).

ומאן תנא דפליג עליה דרב שמעיה? אחרים היא דתנא. אחרים אומרים: אין בין עצרת לעצרת, אין בין ראש השנה לראש השנה אלא ארבעה ימים בלבד. ואם הייתה שנה מעוברת חמשה.

בעי רבי זירא: יורש מהו בבל תאחר? כי תדור נדר? אמר רחמנא והא לא נדר. או דלמא וקבאת שמה? והבאתם שמה? והא מיחייב?

תא שמע, דתני רבי חיאי: "מעמך" פרו ל'יורש'.

והאי "מעמך" מיבעי ליה: זה לקט שכחה ופאה! קרי ביה "עמך" וקרי ביה "מעמך".

בעי רבי זירא: אשה מה היא בבל תאחר? מי אמרינן הא לא מיחייבא בראיה? או דלמא: הא איתה בשמחה?

אמר ליה אבוי: ותיפוק ליה דהא איתה בשמחה. ומי אמר אבוי הכי? והאמר אבוי: אשה בעלה משמחה! לדבריו דרבי זירא קאמר.

The Gemara comments: **And who is the *tanna* who disagrees with Rav Shemaya^h and says that a year has a fixed number of days? It is *Aherim*, as it is taught in a *baraita*: *Aherim* say: The difference between *Shavuot* of one year and *Shavuot* of the following year, and similarly, between *Rosh HaShana* of one year and *Rosh HaShana* of the following year, is only four days of the week. There are 354 days in a lunar year, which are divided into twelve alternating months, six months that are thirty days long and six months that are twenty-nine days long. Therefore, every year is fifty weeks and four days long. **And if it were a leap year**, in which case the year is comprised of 383 days, or fifty-four weeks and five days, there is a difference of five days between them.**

S Rabbi Zeira asks: In the case of an heir, what is the *halakha* with regard to the prohibition of: **You shall not delay?**^{NH} That is to say, does an heir transgress the prohibition against delaying a vow taken by his father? The Gemara explains the two sides of the question: Is it that **the Merciful One** states in the Torah: **"When you shall vow a vow to the Lord your God, you shall not delay paying it"** (Deuteronomy 23:22), **and this one, the heir, did not make a vow? Or perhaps** the essence of the mitzva is as it says: **"And there you shall come; and there you shall bring your burnt-offerings and your sacrifices"** (Deuteronomy 12:5-6), **and this one, the heir, is obligated** to come and bring his father's offerings.

Come and hear an answer to this, as Rabbi *Hiyya* taught a *baraita* that says: The verse states: "For the Lord your God will surely require it **from you**" (Deuteronomy 23:22), which is interpreted to mean: **To the exclusion of an heir**. This teaches that an heir does not transgress the prohibition against delaying a vow taken by his father.

The Gemara asks: **But this phrase "from you" is necessary** to teach a different *halakha*, namely, that one transgresses the prohibition against delaying even for **gleanings, forgotten sheaves, and the produce of the corner** of his field. The Gemara answers: Rabbi *Hiyya* derived two *halakhot* from this word. **He read into** the verse: **"You [imakh],"** which he expounded as coming to include gleanings, forgotten sheaves and the produce of the corner of the field in the prohibition, **and he read into** the verse: **"From you [me'imakh],"** with the extra letter *mem* coming to exclude an heir.

S Rabbi Zeira asks another question on this topic: In the case of a woman who made a vow, **what is the *halakha* with regard to the prohibition: You shall not delay?**^{NH} The Gemara explains: **Do we say** that since **she is not obligated to appear** in the Temple on the pilgrimage Festivals, as this obligation is a positive, time-bound mitzva, from which women are exempt, she also does not transgress if she is late in bringing her offering? **Or perhaps**, since **she is obligated in** the mitzva of **rejoicing** on a Festival, she should also be obligated in some of the other mitzvot connected to the day?

Abaye said to him: Derive this from the fact that **she is also obligated in** the mitzva of **rejoicing** on a Festival. The Gemara asks: **And did Abaye actually say this**, that a woman is obligated to rejoice on a Festival? **But didn't Abaye say:** As for a woman, **her husband must make her joyful** on a Festival? This means that the obligation falls not on the woman, but upon her husband. The Gemara answers: **Abaye stated** his opinion **in accordance with the statement of Rabbi Zeira**. Rabbi Zeira holds that women are bound by a positive mitzva to rejoice on a Festival. Since, according to Rabbi Zeira's opinion, they are obligated in the mitzva of rejoicing on a Festival, they are also subject to the prohibition: You shall not delay.

אִיבְעִיא לְהוּ: בְּכּוּר מְאַיְמְתִי מוֹנִין לוֹ שָׁנָה? אַבְיֵי אָמַר: מִשְׁעָה שְׁנוּלָד. רַב אַחָא בְרַי יַעֲקֹב אָמַר מִשְׁעָה שְׁנִרְאָה לְהִרְצָאָהּ.

§ A dilemma was raised before the Sages: In the case of a first-born animal, from when does one begin to count a year with regard to the prohibition against delaying? Abaye said: One counts from the time it is born. Rav Aḥa bar Ya'akov said: One counts from the time it is fit for appeasement, i.e., from its eighth day, when it is fit to be brought as an offering, as explicitly stated in the Torah (see Leviticus 22:27).

וְלֹא פְּלִיגִי, הָא בְּתָם,

The Gemara comments: The two Sages do not disagree. This one, Rav Aḥa bar Ya'akov, who said that one counts from the time that the animal is fit for appeasement, is speaking about an unblemished firstborn, which must be brought to the altar for sacrifice.

Perek I
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הָא בְּבֵעַל מוּם.

That one, Abaye, who said that one counts from the time that the animal is born, is speaking about a blemished animal. Since it was already fit to be slaughtered from the day of its birth, if one does not give it to the priest within a year of that day he transgresses the prohibition against delaying.

בְּעַל מוּם מִי מְצִי אֲכִיל לִיהָ? דְּקָמִים לִיהָ בֵּיה שְׁבָלוּ לוֹ חֲדָשִׁין.

The Gemara asks: Can an animal with a blemish really be eaten immediately on the day that it is born? Isn't there a requirement to wait eight days before slaughtering it, in order to ascertain that the animal is viable and was not born prematurely? The Gemara answers: This is referring to a case where one is certainⁿ of when the animal was conceived and that its months of gestation have been completed, so that it may be presumed to be viable.^h

תִּנּוּ רַבָּנִין: בְּאַחַד בְּנִיטָן רֹאשׁ הַשָּׁנָה לְחֲדָשִׁים, וְלַעֲבוּרֵין וְלַתְּרוּמַת שְׁקָלִים. וַיֵּשׁ אֹמְרִים אֶף לְשִׁכּוּרוֹת בְּתָם.

§ The Sages taught a *baraita* that expands upon what was taught in the mishna: On the first of Nisan is the New Year for counting the months of the year, and for leap years,^h and for collection of the shekels that had been collected in Adar and used to purchase animals for communal offerings and other needs of the Temple; and some say that it is also the New Year for the renting of houses.

לְחֲדָשִׁים מְנַלְן? דְּכַתִּיב: "הַחֹדֶשׁ הַזֶּה לְכֶם רֹאשׁ חֲדָשִׁים רֹאשׁוֹן הוּא לְכֶם לְחֲדָשֵׁי הַשָּׁנָה. דַּבְּרוּ אֶל כָּל עַדַת יִשְׂרָאֵל לֵאמֹר בְּעֶשְׂוֹר לְחֹדֶשׁ הַזֶּה וַיִּקְחוּ לָהֶם אִישׁ שֶׁה לְבֵית אָבוֹת שֶׁה לְבֵית. וְהָיָה לְכֶם לְמִשְׁמֶרֶת עַד אַרְבַּעַה עָשָׂר יוֹם לְחֹדֶשׁ הַזֶּה וְשָׁחֲטוּ אוֹתוֹ" גּוֹר. וְכַתִּיב: "שְׁמֹר אֶת חֹדֶשׁ הָאָבִיב." אִיזְהוּ חֹדֶשׁ שֵׁשׁ בּוֹ אָבִיב? הוּי אֹמְרֵי זֶה נִסָּן, וְקָרִי לִיהָ רֹאשׁוֹן.

From where do we derive that the first of Nisan is the New Year for months? As it is written: "This month shall be to you the beginning of months; it shall be the first month of the year to you. Speak to all the congregation of Israel, saying: On the tenth day of this month they shall take to them every man a lamb, according to the house of their fathers, a lamb for a household... And you shall keep it until the fourteenth day of the same month: And the whole assembly of the congregation shall slaughter it toward evening" (Exodus 12:2-6). And elsewhere it is written: "Observe the month of ripening and keep Passover to the Lord your God; for in the month of ripening the Lord your God brought you forth out of Egypt by night" (Deuteronomy 16:1). Which is the month in which there is a ripening of grain? You must say that this is Nisan, and it is called the first month of the year.

וְאִימָא אִיִּיר? בְּעִינָא אָבִיב, וְלִיכָא. וְאִימָא אֲדָר? בְּעִינָא רוּב אָבִיב, וְלִיכָא. מִיִּיר רוּב אָבִיב בְּתָם?!

The Gemara asks: But one could say that it is the month of Iyyar. The Gemara answers: A month of ripening is required, and in Iyyar there is no ripening, as the grain has already ripened. The Gemara asks further: But one could say that it is the month of Adar, the month in which some of the grain begins to ripen. The Gemara answers: The month in which most of the ripening takes place is required, and this is not the case in Adar, as most of the grain ripens during the next month, the month of Nisan. The Gemara asks: But is most of the ripening written in the verse? The verse merely speaks of the month of ripening, and since there is some ripening in Adar, it is possible that this is the first month.

NOTES

Where one is certain – דְּקָמִים לִיהָ בֵּיה – The Ritva asks: Once an animal is eight days old, it is clear retroactively that the animal was viable from birth. If so, why is its year counted from eight days and not from the time of birth? He explains: By Torah decree, the animal is not fit for sacrifice during the first eight days of its life, and therefore those eight days are not included as part of its first year (see *Sefat Emet*).

HALAKHA

A year of a firstborn – שְׁנָה שֶׁל בְּכוֹר – There is a mitzva to eat the male firstborn of a kosher animal within its first year. If it is unblemished, it is sacrificed as an offering and part of the animal is eaten by priests, and if it has a blemish, it is eaten even by non-priests. If the animal is unblemished, one counts its first year from the eighth day following its birth, and if it is born with a blemish, one counts from the day of its birth. This applies when it is known with certainty when the animal was conceived and that it was born at full term; if this is not known, one begins counting only from the eighth day (Rambam *Sefer Korbanot, Hilkhot Bekhorot* 1:8).

The New Year...for leap years – לַעֲבוּרֵין – Although the court may calculate leap years several years in advance, it must not declare the leap year of any given year until after Rosh HaShana. If it declared the matter before Rosh HaShana, its declaration is ineffectual (Rambam *Sefer Zemanim, Hilkhot Kiddush HaHodesh* 4:13).