

HALAKHA

**חֲטָאת שְׂמֵתוֹ** – A sin-offering whose owners died is left to die (Rambam *Sefer Avoda, Hilkhot Pesulei HaMukdashin* 4:1).

NOTES

**חֲטָאוֹת מָתוּ** – There are five circumstances in which animals designated as sin-offerings are not sacrificed but are put to death instead. These animals are not killed directly by human hands, as it is prohibited to harm a consecrated animal, but they are locked up and left to starve to death. These cases are: The offspring of a sin-offering; an animal substituted for a sin-offering; a sin-offering whose owners have already gained atonement through another sin-offering; a sin-offering whose owners have died; and a sin-offering of a sheep or a goat that is more than a year old. The authorities debate the details of this *halakha*, e.g., whether communal sin-offerings are subject to these rules if the owners have died.

**שְׂעִירי עֲבוּדָה זָרָה** – If an entire community inadvertently sinned in the realm of idolatry due to a mistaken ruling of the court, the people must bring a bull as a burnt-offering and a goat as a sin-offering for their atonement (Numbers 15:24). The early commentaries note that the terminology of the Gemara is imprecise here, as only a single goat is brought.

אֵימְתִיבִיהָ רַבִּי יִצְחָק נִפְתָּא לְרַבִּי אָמִי:  
”וְהוֹצִיא אֶת כָּל הַפָּר” שְׂוִיצִיא אֶת  
בּוֹלֵוּ.

”וְאֵת פֶּר הַחֲטָאת וְאֵת שְׂעִיר  
הַחֲטָאת”! – אָמַר רַב פֶּפְאָ: בְּעוֹר  
וּבְשָׂר וּפְרִישׁ – דְּבוֹלֵי עֲלָמָא לֹא פְּלִיגִי,  
כִּי פְּלִיגִי – בְּדָם. מִרְסַבְר: דָּם אִיקָרִי  
פֶּר, וּמִרְסַבְר: דָּם לֹא אִיקָרִי פֶּר.

אָמַר רַב אֲשִׁי: מִסְתַּבְּרָא כְּמָאן דְּאָמַר  
דָּם אִיקָרִי פֶּר, דְּכִתְבִיב: ”בְּזֹאת יָבִיא  
אֶהְרֶן אֶל הַקֹּדֶשׁ בְּפֶר בֶּן בָּקָר” אִטּו  
בְּקִרְוֵיהּ מַעֲיִיל לִיהּ? אֲלֵא, בְּדָמוֹ, וְקָרִי  
לִיהּ פֶּר.

וְאֵינְדִּי: בְּמַה הוֹכֵשֶׁר אֶהְרֶן לְבֵא אֶל  
הַקֹּדֶשׁ – בְּפֶר בֶּן בָּקָר לְחֲטָאת.

וְתִפּוּק לִיהּ דְּחֲטָאת שְׂמֵתוֹ בְּעֲלִיָּהּ  
הִיא, וְחֲטָאת שְׂמֵתוֹ בְּעֲלִיָּהּ לְמִיתָהּ  
אֲזֵלֵא! אָמַר לִיהּ רַבִּין בְּרַב רַב אֲדָא  
לְרַבָּא, אָמְרִי תְּלַמִּידֶיךָ, אָמַר רַב  
עֲמֵרָם: חֲטָאת צְבוּר הִיא, וְלֹא לְמִיתָהּ  
אֲזֵלֵא.

דְּתַנְנָן, אָמַר לֹו רַבִּי מֵאִיר: וְהֵלֵא פֶּר יוֹם  
הַכַּפּוּרִים, וְחִבְתִּי בְּהֵן גְּדוּל, וּפְסַת,  
דְּקָרְבַן יָחִיד הוּא, וְדוּחָה אֶת הַשֶּׁבֶת  
וְאֵת הַטּוּמְאָה! לֹא מְכַלְל דְּאִיכָא  
לְמָאן דְּאָמַר דְּצְבוּר?

וְלִטְעֵמִיךְ דְּקַתְנִי, אָמַר לֹו רַבִּי יַעֲקֹב:  
וְהֵלֵא פֶּר הָעֵלִם דְּבֵר שֶׁל צְבוּר,  
וּשְׂעִירֵי עֲבוּדָה זָרָה, וְחִגְיָה דְּקָרְבַן  
צְבוּר, וְאִין דוּחִין לֹא אֶת הַשֶּׁבֶת וְלֹא  
אֶת הַטּוּמְאָה, מְכַלְל דְּאִיכָא לְמָאן  
דְּאָמַר דְּיָחִיד?

§ Rabbi Yitzhak Nappaḥa raised an objection to Rabbi Ami: “And he shall remove the entire bull outside the camp” (Leviticus 4:12). This verse speaks of a bull that has been slaughtered and its fats and sacrificial parts have been burned, which proves that even after it has been slaughtered, it is still called a bull. Rabbi Ami replied: The animal itself is not called a bull at this stage; rather, it means that he should remove the entire carcass, all that remains of the bull.

The Gemara raises another difficulty by citing a verse: “And the bull of the sin-offering and the goat of the sin-offering, whose blood was brought in to make atonement in the Sanctuary, shall be taken outside the camp” (Leviticus 16:27). Once again, the verse proves that even after it has been slaughtered and its blood is brought into the Holy of Holies, the animal is still called a bull. Rav Pappa said: Everyone agrees that when it is intact, with its hide, its flesh, and its excrement, it is called a bull. When they disagree is with regard to the blood. One Sage holds that its blood is called a bull, and one Sage holds that blood alone is not called a bull.

Rav Ashi said: It is reasonable to say in accordance with the one who said that blood is called part of the bull, as it is written: “With this Aaron shall come into the sacred place, with a bull” (Leviticus 16:3). Is that to say that he brings it in, to the Holy of Holies, with its horns? Rather, he enters with its blood, and yet the Torah calls that “a bull.” This proves that the blood itself is called a bull.

The Gemara asks: And the other one, who maintains that blood is not called a bull, how does he interpret this verse? The Gemara answers that he can explain the verse as follows: With what did Aaron become qualified to enter the sacred place? With his bringing of a young bull for a sin-offering. However, the blood itself, which he brings inside, is not called a bull.

§ The Gemara returns to the issue of a replacement High Priest entering with the blood of the first bull: And let him derive the answer to this problem from the fact that it is a sin-offering whose owners have died.<sup>4</sup> After all, the bull of the first High Priest is a sin-offering and its owner has died. Since there is a principle that a sin-offering whose owners have died is left to die,<sup>5</sup> this should resolve the dilemma. Ravin bar Rav Adda said to Rava: Your students say that Rav Amram said that the sin-offering bull of the High Priest is a communal sin-offering, as the High Priest brings it both on his own behalf and for his fellow priests, and a communal sin-offering is not left to die.

As we learned in a mishna in tractate *Temura* that *tanna'im* debate which offerings override Shabbat and ritual impurity. Rabbi Meir said to him: But consider the Yom Kippur bull, and the meal-offering resembling a wafer brought specially by the High Priest, and the Paschal offering, each of which is an individual offering and overrides Shabbat and ritual impurity. Since Rabbi Meir says that these are individual offerings, is it not correct to say by inference that there is one who says that these offerings are communal?

The Gemara rejects this proof. And according to your reasoning, consider that which was taught there: Rabbi Ya'akov said to him: But there are the cases of the bull for an unwitting communal sin, and the goats for a sin of idolatry,<sup>6</sup> and the Festival peace-offering, which are all communal offerings and override neither Shabbat nor ritual impurity. According to the above reasoning, it can be claimed by inference that there is one who says that these are individual offerings, which is incorrect.

אֵלָּא, לְתַנָּא קָמָא קָא מְהֵרָא לֵיהּ. דְּשִׁמְעִיהּ דְּקָאָמְרֵ: קָרְבַּן צְבוּר דְּזָחָה אֶת הַשַּׁבָּת וְאֶת הַטּוּמְאָה, וְקָרְבַּן יְחִיד אֵינוֹ דְּזָחָה לֹא אֶת הַשַּׁבָּת וְלֹא אֶת הַטּוּמְאָה. אָמַר לוֹ רַבִּי מֵאִיר: קָרְבַּן כְּלָלָא הוּא? וְהֵלֵךְ פְּרִי יוֹם הַכֹּפָרִים וְחִבְתֵּי כֹהֵן גָּדוֹל וּפְסַח, דְּקָרְבַּן יְחִיד הוּא, וְדוּחִין אֶת הַשַּׁבָּת וְאֶת הַטּוּמְאָה.

וְאָמַר לוֹ רַבִּי יַעֲקֹב: קָרְבַּן צְבוּר כְּלָלָא הוּא? וְהֵלֵךְ פְּרִי הָעֵלֶם דְּבַר שֶׁל צְבוּר, וְשִׁעִיר עֲבוּדָה זָרָה, וְחִגְגָּה, דְּקָרְבַּן צְבוּר הוּא וְאֵין דוּחִין לֹא אֶת הַשַּׁבָּת וְלֹא אֶת הַטּוּמְאָה!

אֵלָּא נְקוּט הָאֵי כְּלָלָא בִּידְךָ: כָּל שְׁזִמְנוּ קְבוּעָה – דוּחָה אֶת הַשַּׁבָּת וְאֶת הַטּוּמְאָה אֲפִילוּ בְּיָחִיד, וְכָל שְׂאִין זְמַנּוֹ קְבוּעָה – אֵינוֹ דוּחָה לֹא אֶת הַשַּׁבָּת וְלֹא אֶת הַטּוּמְאָה וְאֲפִילוּ בְּצְבוּר.

אֵיתִיבֵיהּ אַבְיִי: פְּרִי שְׁעִיר שֶׁל יוֹם הַכֹּפָרִים שְׂאֵבְדוֹ וְהַפְּרִישׁ אַחֵרִים תְּחַתֵּיהֶן – כּוֹלֵם יָמוּתוּ, וְכֵן שְׁעִיר עֲבוּדָה זָרָה שְׂאֵבְדוֹ וְהַפְּרִישׁ אַחֵרִים תְּחַתֵּיהֶן כּוֹלֵם יָמוּתוּ. דְּבַרֵּי רַבִּי יְהוּדָה. רַבִּי (אֱלִיעֶזֶר) וְרַבִּי שְׁמַעוֹן אוֹמְרִים: יָרְעוּ עַד שְׂסִיתָאָבוּ, וּמְכָרוּ, וּפְלֹ דְמִיָּהֶן לְגַבְבָּהּ, שְׂאִין חֲטָאת צְבוּר מֵתָהּ.

אָמַר לֵיהּ: מֵאִי פֶר – פְּרִי הָעֵלֶם דְּבַר שֶׁל צְבוּר. וְהָאֵ שֶׁל יוֹם הַכֹּפָרִים קְתַנִּי! כִּי קְתַנִּי – אֲדַשְׁעִיר.

וְהִתְנַגֵּא: פְּרִי שֶׁל יוֹם הַכֹּפָרִים, וְשְׁעִיר שֶׁל יוֹם הַכֹּפָרִים שְׂאֵבְדוֹ, וְהַפְּרִישׁ אַחֵרִים תְּחַתֵּיהֶן – כּוֹלֵם יָמוּתוּ, דְּבַרֵּי רַבִּי יְהוּדָה. רַבִּי (אֱלִיעֶזֶר) וְרַבִּי שְׁמַעוֹן אוֹמְרִים: יָרְעוּ עַד שְׂסִיתָאָבוּ, וּמְכָרוּ, וּפְלֹ דְמִיָּהֶן לְגַבְבָּהּ, שְׂאִין חֲטָאת צְבוּר מֵתָהּ!

לֹא תִמָּא: שְׂאִין חֲטָאת צְבוּר מֵתָהּ, אֵלָּא אִמָּא: שְׂאִין חֲטָאת הַשְּׂוֹתֵפִין מֵתָהּ. וּמֵאִי נִפְקָא מִיָּנָה

Rather, Rabbi Meir responded to the first *tanna*, as he heard him say in the form of a general principle: **Communal sacrifices override Shabbat and ritual impurity, but individual sacrifices override neither Shabbat nor ritual impurity.** In response to this claim, Rabbi Meir said to him: Is this statement with regard to an individual offering a general principle? But consider the Yom Kippur bull, and the meal-offering resembling a wafer of the High Priest, and the Paschal offering, each of which is an individual offering and overrides Shabbat and ritual impurity.

And Rabbi Ya'akov responded to the first *tanna* from a different perspective: Is this statement with regard to a communal offering a general principle, which overrides ritual impurity? But there are the cases of the bull for an unwitting communal sin, and the goats for a sin of idolatry, and the Festival peace-offering, which are all communal offerings and override neither Shabbat nor ritual impurity.

Rather, grasp this principle: Any offering that has a fixed time<sup>h</sup> for its sacrifice overrides Shabbat and ritual impurity even if it is an individual offering; and any offering of no fixed time overrides neither Shabbat nor ritual impurity, and this is the case even if it is a communal offering. With regard to the issue at hand, as the emphasis of both Rabbi Meir's and Rabbi Ya'akov's statements is whether the offerings they referred to override Shabbat and ritual impurity, not their classification as individual or communal offerings, nothing can be inferred from their comments in this regard. Consequently, it remains possible that the bull of the High Priest is an individual offering.

Abaye raised an objection to Rava: Is the bull of the High Priest an individual offering? But we learned in a *baraita*: With regard to the bull and the goat of Yom Kippur that were lost,<sup>h</sup> and he separated others in their stead, and the first animals were subsequently found, all of the second set shall be left to die. And likewise, goats for a sin of idolatry that were lost and he separated others in their stead, all of them shall be left to die. This is the statement of Rabbi Yehuda. Rabbi Elazar and Rabbi Shimon say: They shall be left to graze until they become unfit,<sup>n</sup> whereupon they are sold and their proceeds go for a free-will offering, as a communal sin-offering is not left to die. This proves that the Yom Kippur bull is called a communal sin-offering.

Rava said to Abaye: What bull is referred to here? A bull for an unwitting communal sin. Abaye retorted: But the *baraita* taught: Of Yom Kippur, which clearly indicates that it is referring to the bull of Yom Kippur. Rava answered: When the *tanna* of this *baraita* taught: Of Yom Kippur, he was referring only to the goat. That is, the *baraita* should be read as follows: The communal bull and the goat of Yom Kippur, which is also a communal offering.

Abaye further asks: But wasn't it taught in a *baraita*: With regard to the bull of Yom Kippur and the goat of Yom Kippur that were lost and he separated others in their stead, and the first animals were subsequently found, all of the second set shall be left to die. This is the statement of Rabbi Yehuda. Rabbi Elazar and Rabbi Shimon say: They shall be left to graze until they become unfit, whereupon they are sold and their proceeds go for a free-will offering, as a communal sin-offering is not left to die. This *baraita* explicitly states that the bull of Yom Kippur is considered a communal offering.

Rava answered him: Do not say: As a communal sin-offering is not left to die. Rather, say: As a sin-offering of partners is not left to die.<sup>h</sup> Since some of the partners are still alive, the sin-offering is not left to die. The bull of the High Priest on Yom Kippur is considered a sin-offering of partners because it atones not only for the High Priest, but for his fellow priests, as well. The Gemara asks: And if ultimately the bull is not left to die, what is the practical difference whether the bull of the High Priest is considered a communal sin-offering or a sin-offering of partners? Why did Rava insist on calling it a sin-offering of partners?

קָרְבַּן שְׁזִמְנוּ – קָרְבַּן שֶׁל יוֹם הַכֹּפָרִים: An offering for which there is a fixed time for its sacrifice overrides both Shabbat and ritual impurity, whether the offering is communal or individual, as stated both here and in tractate *Zevahim*, in accordance with the opinion of Rabbi Meir (Rambam *Sefer Avoda, Hilkhot Biat HaMikdash* 4:9).

The bull and goat of Yom Kippur that were lost – פְּרִי שְׁעִיר שֶׁל יוֹם הַכֹּפָרִים שְׂאֵבְדוֹ: If the Yom Kippur bull and goat were lost and replaced but then found again, the substitutes are left to graze until they become blemished. At this point they are sold, with the proceeds going for the purchase of public free-will offerings. The same *halakha* applies to goats of idolatry that were lost. The Rambam rules here in accordance with the opinion of Rabbi Elazar and Rabbi Shimon in their dispute with Rabbi Yehuda (Rambam *Sefer Avoda, Hilkhot Pesulei HaMukdashin* 4:2).

A sin-offering of partners is not left to die – אֵין – חֲטָאת הַשְּׂוֹתֵפִים מֵתָהּ: A sin-offering that belongs to partners, including the bull of the High Priest on Yom Kippur in which his fellow priests have a share, is not left to die if one of the partners passes away, but is taken out to graze until it develops a blemish (Rambam *Sefer Avoda, Hilkhot Avodat Yom HaKippurim* 5:13).

## NOTES

יָרְעוּ – They shall graze until they become unfit – עַד שְׂסִיתָאָבוּ: Most offerings that have been rendered invalid are left alone until they develop a blemish. At that point they can be redeemed, with the money of their sale going for various purposes, depending on the particular type of offering.

NOTES

**A bull for a ruling – פֶּרֶ בְּהוֹרָאָה** – The Torah commands that if a court issues an erroneous ruling that the community proceeds to follow, the community must bring a bull to atone for its sin (Leviticus 4:13–21). The Gemara discusses the definition of a community with regard to this *halakha*. According to some opinions, even an entire tribe that sinned due to the ruling of a tribal court is obligated to bring this offering. What remains uncertain is whether the tribe of Levi is considered a community for this purpose. Likewise, it is unclear whether the priests, who have their own court, are considered a community or not. After all, they are merely part of a tribe, without their own inheritance of land. If the priests are not considered a community but a collection of individuals, each person would have to bring his own private offering for committing an inadvertent sin.

Perek V  
Daf 50 Amud b

NOTES

**One who consecrates and one who seeks atonement – מִקְדִּישׁ וּמְתַכְּפֵר**: Usually, the person who seeks atonement is the one who consecrates the offering. However, it is permitted to consecrate an animal for another person's atonement, provided that the recipient is aware of the consecration. In certain situations where one person consecrates an animal for another person's offering, e.g., for a nazirite or a woman after childbirth, the beneficiary need not be aware of the consecration. Since the sacrifice is consecrated for someone else's atonement, the beneficiary becomes the owner for all intents and purposes, including the ability to effect substitution. Conversely, with regard to the *halakha* that the person who consecrates an item has to add a fifth to its value in the event that he redeems it, in this case this requirement applies only to the one who actually consecrated the animal (see *Me'ir*).

HALAKHA

**The one who consecrates adds a fifth – הַמְקַדֵּשׁ מוֹסִיף** – חוֹמֶשׁ: One who redeems a sacred item that he himself consecrated must add a fifth of its value to the funds. Even if he consecrated the item on behalf of someone else, it is still the one who dedicated the animal who adds a fifth, not the person for whom the offering atones (Rambam *Sefer Hafla'a, Hilkhot Arakhin VaHaramim* 7:4).

**The one for whom it atones can perform substitution – הַמְתַּכְּפֵר עוֹשֶׂה תְּמוּדָה**: If a person consecrated an animal to atone for someone else, the beneficiary has the power of effecting substitution, not the one who consecrated the animal (Rambam *Sefer Hafla'a, Hilkhot Arakhin VaHaramim* 7:4).

דָּלָא מֵיִתּוּ כְּהִנֵּם פֶּר בְּהוֹרָאָה. תָּא שְׂמַע, דְּבַעֵי רַבִּי (אֶלְיָעוֹר):

תָּא שְׂמַע, דְּבַעֵי רַבִּי (אֶלְיָעוֹר):

The Gemara answers **that** there is a difference between these two categories with regard to a court that issues an incorrect ruling to an entire community, e.g., a tribe of Israel, and the people act in accordance with that ruling. The *halakha* in this case is that the court must bring a bull for an unwitting communal sin. Rava insisted on referring to the bull that atones for all of the priests on Yom Kippur as a sin-offering of partners, not a communal sin-offering, for the following reason: If a court composed of priests issued a mistaken ruling, and the priests acted in accordance with that teaching, **the priests do not bring a bull for this ruling**,<sup>N</sup> as they are not considered a community but a large partnership.

The Gemara offers another solution to the question. **Come and hear, as Rabbi Elazar raised the following dilemma:**

לְדַבְרֵי הָאוֹמֵר: פֶּר יוֹם הַכִּפּוּרִים קָרְבַּן יְחִיד, עוֹשֶׂה תְּמוּדָה אוֹ אֵינוֹ עוֹשֶׂה תְּמוּדָה? לֹא מִכְּלָל דְּאִיבָא לְמַאן דְּאָמַר דְּצָבוּר?

לֹא, מִכְּלָל דְּאִיבָא לְמַאן דְּאָמַר דְּשׁוֹתְפִין.

גּוֹפֵא, בַּעֵי רַבִּי (אֶלְיָעוֹר): לְדַבְרֵי הָאוֹמֵר פֶּר יוֹם הַכִּפּוּרִים קָרְבַּן יְחִיד, עוֹשֶׂה תְּמוּדָה אוֹ אֵינוֹ עוֹשֶׂה תְּמוּדָה? מֵאֵי קָא מֵיבְעִינָא לֵיהּ?

אֵי בְּתַר מְקַדֵּשׁ אֲזִלִּין אֵי בְּתַר מְתַכְּפֵר אֲזִלִּין

פְּשִׁיטָא דְּבַתַּר מְתַכְּפֵר אֲזִלִּין! דְּאָמַר רַבִּי אַבְהוּ אָמַר רַבִּי יוֹחָנָן: הַמְקַדֵּשׁ מוֹסִיף חוֹמֶשׁ, וְהַמְתַּכְּפֵר עוֹשֶׂה בְּהַ תְּמוּדָה.

According to Rabbi Meir, who says that the bull of Yom Kippur is an offering of an individual, can one perform substitution for this animal or can one not perform substitution in this case? In other words, if the High Priest violated a prohibition and designated a substitute by saying that this bull should be switched with another, does the substitution take effect or not? Is it **not** correct to say **by inference** from the wording of Rabbi Elazar's dilemma **that there is one who says that these offerings are communal**?

The Gemara rejects this contention: **No**, this is no proof, as one can say **by inference that there is one who says that these offerings are of partners**. There is no definitive proof that the bull of Yom Kippur is a communal sacrifice. In any event, the question of why the bull is not invalidated upon the death of the High Priest has been resolved, as the reason is either because it is a communal sacrifice or because it is a sacrifice of partners.

Since the Gemara has mentioned Rabbi Elazar's dilemma, the Gemara addresses **the matter itself**. **Rabbi Elazar asked:** According to Rabbi Meir, who says that the bull of Yom Kippur is an individual offering, can one perform substitution for this animal or can one not perform substitution? The Gemara asks: **What is the dilemma he is raising?** What is the basis of his inquiry?

The Gemara suggests that his dilemma is as follows: **Do we follow the one who consecrates** the animal, i.e., the High Priest, as he was the one who paid for it, in which case it is considered an individual sacrifice and his substitution is effective? **Or do we follow the one who seeks atonement**<sup>N</sup> by the offering, and as this bull atones both for the High Priest and the entire community of his fellow priests, it is considered a communal sacrifice, and therefore his substitution is not effective? The question is: Which party is followed for the purposes of substitution?

The Gemara expresses surprise at this possible interpretation of Rabbi Elazar's dilemma: It is **obvious that we follow the one who seeks atonement**, as Rabbi Abbahu said that Rabbi Yohanan said: With regard to **one who consecrates** his animal for an offering but intends it for someone else's atonement, if he subsequently redeems the animal, **he adds a fifth**<sup>H</sup> to it. This is in accordance with the *halakha* that one who redeems an animal that he himself dedicated must add a fifth of its value to the redemption, whereas if the person for whom it atones redeems it, he does not add a fifth. **And the one for whom the sacrifice atones can perform substitution**<sup>H</sup> for it, whereas the one who consecrated the animal cannot effect substitution, as he is not considered its owner for the *halakhot* of substitution.

One who separates from his wheat for the wheat of another – התורם משלו על של חבירו – With regard to *teruma*, a person is permitted to separate produce from his own crops on behalf of someone else's yield, thereby exempting the beneficiary from further separation of *teruma*. The donor retains the benefit of determining who receives the *teruma*, which means he may give it to the priest of his choice (Rambam *Sefer Zera'im, Hilkhot Terumat* 4:2).

Substitution takes effect on a permanently blemished animal – תמורה קלה על בעל מום קבוע – The status of substitution takes effect on a permanently blemished animal. This animal can be redeemed but one cannot entirely vacate its sacred status, and therefore its wool may not be sheared nor may it be put to work (Rambam *Sefer Korbanot, Hilkhot Temura* 3:5).

The ram of Aaron – אילו של אהרן – The High Priest can effect substitution on the ram he sacrifices on Yom Kippur, as stated by Rav Sheshet. This *halakha* is not the subject of debate (Rambam *Sefer Korbanot, Hilkhot Temura* 1:10).

והתורם משלו על של חבירו טובת הנאה שלו!

And likewise, with regard to one who separates *teruma* from his wheat for the wheat of another,<sup>h</sup> to spare his friend from having to separate his own *teruma*, although the friend's produce is now exempt from the obligation of *teruma*, the benefit of discretion<sup>n</sup> is his, the one who separated the *teruma*. The one who separated the *teruma* is entitled to determine which priest receives the *teruma*, despite the fact that the *teruma* was separated for the crop of another. Similarly, when someone consecrates an animal for another person, it is the one who gains atonement that can perform substitution. If so, there is no place for Rabbi Elazar's dilemma.

לעולם פשיטא ליה דביתר מתכפר אולינו, והכי קא מיבעיא ליה: אחיו הכהנים בקביעותא מתכפרי, או דילמא בקופיא מתכפרי?

The Gemara rejects this suggested explanation of Rabbi Elazar's dilemma: **Actually, it is obvious to Rabbi Elazar that we follow the one who seeks atonement by the offering, and this is his dilemma: Do his fellow priests achieve atonement by the essence of the offering, i.e., part of the offering is sacrificed on their behalf, which means they are partners in the bull? Or perhaps they achieve atonement incidentally,<sup>n</sup> while the main atonement is that of the High Priest. If the atonement of the other priests is merely incidental, the High Priest can effect substitution with this bull.**

תא שמע: חומר בזבח מבתמורה, וחומר בתמורה מבזבח. חומר בזבח, שהזבח נוהג ביחיד כבצבור, ודוחה את השבת, ואת הטומאה, ועושה תמורה, מה שאין כן בתמורה.

The Gemara suggests: **Come and hear a resolution to this dilemma: There is a stricture that applies to the initial sacrifice, beyond the strictures that apply to the designated substitute;<sup>n</sup> and there is a stricture that applies to the substitution, beyond the strictures that apply to the sacrifice. The *baraita* elaborates: There is a stricture that applies to the initial sacrifice, as the sanctity of the sacrifice applies to an individual as it does to a community, and the sacrifice overrides Shabbat and ritual impurity, and one can perform substitution for the original sacrifice, which is not the case with regard to the substitute, to which these halakhot do not apply.**

חומר בתמורה מבזבח: שהתמורה קלה על בעל מום קבוע, ואינה יוצאה לחולין ליגזו וליעבד, מה שאין כן בזבח.

The *baraita* continues: **There is a stricture that applies to the substitute beyond the strictures that apply to the initial sacrifice, in that the sanctity of the substitution takes effect even on a permanently blemished animal.<sup>h</sup> And the substitute cannot vacate its sanctified status and assume non-sacred status; that is, it may only be sacrificed as an offering and eaten but under no circumstance can it be redeemed for its wool to be sheared and to be worked, which is not the case with regard to the initial sacrifice, as it can be redeemed in certain situations.**

האי זבח היכי דמי? אילימא דיחיד – מי דחי שבת וטומאה? אלא דצבור – מי עושה תמורה? אלא לאו – דפר, ודוחה את השבת ואת הטומאה – דקביע ליה זמן, ועושה תמורה – דקרובן יחיד הוא.

The Gemara explains: **What are the circumstances of this sacrifice? What exactly is the sacrifice referred to in this *baraita*? If we say it is the sacrifice of an individual, does the sacrifice of an individual override Shabbat and ritual impurity? Rather, if you say that we are dealing with the sacrifice of a community, can one perform substitution for a communal sacrifice? Rather, is it not the case that we are dealing here with the Yom Kippur bull, which overrides Shabbat and ritual impurity, as it is a sacrifice that has a fixed time? And likewise, one can perform substitution for this offering, as it is an offering of an individual. This interpretation resolves Rabbi Elazar's dilemma.**

אמר רב ששת: לא, באילו של אהרן.

The Gemara rejects this contention. **Rav Sheshet said: No, this is no proof, as it can be claimed that the *baraita* is referring to the ram of Aaron<sup>h</sup> that the High Priest sacrifices as a burnt-offering on Yom Kippur, as the verse states: "With this Aaron shall come into the sacred place, with a young bull for a sin-offering and a ram for a burnt-offering" (Leviticus 16:3). This offering is certainly the High Priest's alone and is therefore classified as the offering of an individual.**

NOTES

The benefit of discretion – טובת הנאה: The one who separated *teruma* has the privilege of choosing which priest receives the produce. Although it is considered distasteful for a priest to pay for *teruma* in any way, there is no prohibition against somebody seeking to benefit a particular priest by giving the one who separated *teruma* a gift in exchange for his decision to give the *teruma* to that priest. This right of determination applies even if the person separated *teruma* from the crops of another.

Incidentally [*bekufeya*] – בקופיא: Rabbeinu Hananel reads:

*Behekefa*, round about, i.e., the other priests gain atonement only if they are actually standing around the High Priest and hear the confession that he offers on their behalf.

Substitute – תמורה: The possibility of substitution is mentioned in the Torah (Leviticus 27:10), and a tractate of the Mishna (*Temura*) focuses on its *halakhot*. The main features of this concept are as follows: The Torah prohibits substituting any offering, whether whole or blemished, for another animal. One who does so violates a prohibition and receives lashes as a punishment. Nevertheless, despite the fact that this switch is

prohibited, if an act of substitution is performed, the second animal does acquire a measure of sanctity, while the initial animal also remains sacred. All animals can be used as substitutes, whether they are whole or blemished, and the animal designated as a substitute can never be worked or redeemed. The fate of the substitute varies with the particular type of offering. In some instances, such as a substitute for a sin-offering, the animal is left to die. In other cases, such as a guilt-offering, the animal is put out to graze until it becomes blemished. Lastly, some substitutes, e.g., that of a peace-offering, are consecrated in addition to the original animal.

The substitute for a sin-offering is left to die – תַּמּוּרַת חֲטָאת לְמִיתָה אֲזָלָא: A substitute for a sin-offering is left to die (Rambam *Sefer Korbanot, Hilkhot Pesulei HaMukdashin* 4:1, *Hilkhot Temura* 3:1).

הַכִּי נִמְי מִסְתַּבְּרָא, דְּאִי סְלִיקָא דְעֵתָךְ דְּפָרוּ; תַּמּוּרָה דְּפָר, שְׁבֵת וְטוּמְאָה הוּא דְלֹא דְחִיָּא, הָא בַּחֹל מְקָרִיב קָרְבָּה? הָא תַּמּוּרַת חֲטָאת הִיא, וְתַמּוּרַת חֲטָאת לְמִיתָה אֲזָלָא!

The Gemara comments: **So, too, it is reasonable** that this is the offering referred to in the *baraita*, **for if it should enter your mind** to say that we are dealing with the bull of the High Priest, consider the following: Is it only Shabbat and ritual impurity that the substitution of the bull does not override, which indicates that one may sacrifice this substitute on a weekday? It is a substitute for a sin-offering, and the *halakha* is that the substitute for a sin-offering is left to die.<sup>11</sup> Rather, we certainly must be dealing with the ram for a burnt-offering, as the substitute for a burnt-offering cannot be sacrificed.

לֹא, לְעוֹלָם פָּרוּ. וּמֵאֵי תַּמּוּרָה – שֵׁם תַּמּוּרָה.

The Gemara rejects this supporting argument: **No, it is actually possible** that the offering referred to in the *baraita* is the Yom Kippur bull of the High Priest, **and what is the substitution** that was mentioned? It does not refer to a substitution of the bull, but rather the *baraita* deals with the general category of substitution, i.e., it means that the phenomenon of substitution in general includes *halakhot* that do not apply to offerings.

אִי הַכִּי זָבַח נִמְי – שֵׁם זָבַח. שֵׁם זָבַח לֹא קָתַנִּי.

The Gemara asks: **If so, one can also say** that the sacrifice mentioned in the *baraita* means the general category of sacrifices, rather than a specific offering. The Gemara rejects this suggestion: The *baraita* is **not teaching** about a general category of sacrifices, i.e., it is definitely not dealing with the phenomenon of offerings in general.

מֵמֵאֵי? מִדְּקָתַנִּי חוּמַר בְּתַמּוּרָה, שְׁהַתַּמּוּרָה חֲלָה עַל בְּעַל מוּם קָבוּעַ, וְאֵינָהּ יוֹצֵאתָ לְחֹלִין לִיגוּז וְלִיעָבֵד. וְאִי סְלִיקָא דְעֵתָךְ מֵאֵי זָבַח – שֵׁם זָבַח, וְהָא אֵיכָא

The Gemara continues: **From where** do I know that this is so? **From the fact that it is taught:** There is a stricture that applies to the substitution beyond the strictures that apply to the initial offering, in that the sanctity of the substitution takes effect even on a permanently blemished animal, and the substitute cannot vacate its sanctified status and assume non-sacred status for its wool to be sheared and to be worked. **And should it enter your mind** to say: **What is the sacrifice** mentioned here, it means the general category of sacrifices; this cannot be the case, as there is an example of an offering to which these *halakhot* also apply,

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בְּכוֹר וּמַעֲשֵׂר דְחֹלִין עַל בְּעַל מוּם קָבוּעַ, וְאֵין יוֹצֵאִין לְחֹלִין לִיגוּז וְלִיעָבֵד. אֲלֵא: שֵׁם זָבַח לֹא קָתַנִּי.

e.g., a firstborn or an animal tithe,<sup>NH</sup> the sanctity of which takes effect even on a permanently blemished animal, and this offering cannot vacate its sanctified status and assume non-sacred status for its wool to be sheared and to be worked. Rather, you must say that the *baraita* is not teaching a general category of sacrifices, but when it states: Offering, it is referring to a particular one.

וּמֵאֵי שְׁנָא? תַּמּוּרָה, שֵׁם תַּמּוּרָה – אֲחַת הִיא, זָבַח – אֵיכָא בְּכוֹר וְאֵיכָא מַעֲשֵׂר.

The Gemara asks: **And what is different** about the two statements, i.e., why does the *tanna* deal with a specific case in one area, but a general category in the other? The Gemara explains: **Substitution is one category**, as there is no difference between one case of substitution and another. By contrast, with regard to sacrifices, **there is a firstborn and there is the animal tithe**, whose *halakhot* differ from other offerings, and therefore one cannot establish a single general principle. Consequently, the *tanna* certainly is referring to a specific offering.

NOTES

A firstborn or an animal tithe – בְּכוֹר וּמַעֲשֵׂר: The offerings of the firstborn and of the animal tithe differ from all other offerings in the manner of their consecration. The firstborn is consecrated in utero, i.e., the firstborn calf is automatically sacred; similarly, the tenth animal counted out of the pen is consecrated as the tithe, even if it is blemished. Since these animals are automatically consecrated, they cannot be redeemed and can never be sheared or put to work.

HALAKHA

A firstborn or an animal tithe – בְּכוֹר וּמַעֲשֵׂר: The consecration of animals are permanently blemished. These animals may never be put to work or sheared (Rambam *Sefer Korbanot, Hilkhot Me'ila* 1:9).