



Volume 11. Issue 34

## Ahsam Talui offered outside the Beit HaMikdash

The sixth *perek* begins with the debate regarding one that separates an *asham talui* (see last issue) but then resolves the doubt learning that he did not violate any sin.

*R' Meir* teaches that the animal has no sanctity and is considered a regular animal. The *Tifferet Yisrael* explains that this is because *R' Meir* considers it as if he sanctified the animal in error.

The *Chachamim* however understands that the animal is still considered a *korban*. The owner must wait till it develops a *mum* (blemish). He can then redeemed its sanctity with money, which is contributed to the funds of voluntary *olah* offerings. The *Bartenura* explains that since the owner was concerned that he might have sinned, he was resolute when sanctifying the animal even if it would later not be required.

*R' Eliezer* takes a third position that the *korban* can still be offered. This is in line with his position that one can voluntarily offer an *asham talui* every day.

While the *Rambam* rules like the *Chachamim* in the *Mishnah*, he makes another ruling elsewhere that appears to contract this position. The *Rambam* (*Maaseh Korbanot* 18:10) rules that if one offered an *asham talui* outside the *Beit HaMikdash* he would be exempt from offering a *korban*. Normally offering a *korban* outside the *Beit HaMikdash* is a serious offence punishable with *karet*. In the case however the *Rambam* explains that he is exempt because "the *issur* has not been established". We need to understand this rationale especially since it appears that the position of the *Chachamim* that an *asham talui* is indeed a definite *korban*.

The *Grach* explains that it appears that it is possible that both assumptions can be maintained. While it is a *korban*, nevertheless one would be exempt if he slaughtered the animal outside. He explains that there are two elements that obligate one to bring a *chatat* (sin offering). The first is that the action is performed *be'shogeg* (inadvertently). The second is that they realise their mistake in the end.

With an *asham talui* the situation is similar. There is that act, where one is unsure whether he violated a prohibition and it was done *be'shogeg*. The second is that he has to be aware later of this doubtful violation. Even though, it might be revealed that he did not transgress any prohibition, nevertheless the *Torah* requires this *korban* to be brought.

Yet, he explains, there is a difference between the *chiyuv* (obligation) and *hechsher* (that which validates it to be a *korban*). If he did indeed sin, then the action *be'shogeg* and the realisation of the doubtful sin combines to provide the *hechsher* immediately. If however he did not sin, then the entire *chiyuv* and *hechsher* is because of his doubt. It appears therefore that this doubt must persist at the time the *asham talui* is offered properly and forgiveness granted. That is what completes the *chiyuv* and *hechsher*. If however the *asham talui* was offered outside then it lacks its *hechsher* and there is no longer a violation for offering a *korban* outside. Since whether there is a violation is doubtful he would not be obligated to bring a *chatat*. Furthermore since the *issur* was not fixed, meaning there is not definite knowledge of the existence of an *issur*,<sup>1</sup> he would not be required to bring an *asham talui* either.

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<sup>1</sup> This is a basic requirement in the obligation of an *asham talui*. That is why the classic case is where there is a piece of *cheilev* (forbidden fat) and *shuman* (regular fat) and person ate one of them and is unsure. The existence of the *issur* is known, while the violation is not.

## Revision Questions

כריתות ה' בי' ו"ז:

- Explain the debate regarding whether one is obligated to bring an *asham talui* for *safek meilot*. (ה' בי')
- What was *R' Tarfon's* argument to *R' Akiva* regarding the previous question? (ה' בי')
- How did *R' Akiva* respond? (ה' ג')
- What is the law regarding a piece of *kodesh* meat and a piece of regular meat where: (ה' די')
  - One person ate both?
  - Two people ate one each but it is not known which person ate the *kodesh* piece?
- What other case is brought that is similar to the previous question? (ה' ה')
- What is the law regarding the previous question if one piece was *kodesh* and the other *cheilev*? (ה' ו')
- What is the law if one piece was *cheilev* and the other *cheilev kodesh*? (ה' ז')
- What is the law regarding a piece *cheilev* and a piece of *cheilev notar* where: (ה' ח')
  - One person ate both one after the other?
  - Two people ate one each but it is not known which person ate the *cheilev notar*?
- What are the opinions regarding one that brings an *asham talui* and the matter was clarified that he did not sin: (ה' ט')
  - Before the *korban* was slaughtered?
  - After the *korban* was slaughtered?
- Regarding the previous question, what is the comparable ruling for: (ה' י')
  - An *asham vadai*?
  - A *shor ha'niskal*?
  - An *eglah arufah*?
- According to who, can one bring an *asham talui* every day? (ה' יא')
- Who acted according to this ruling and which days was the exception? (ה' יב')
- Which sin-related offering does not need to be brought after *Yom Kippur*? (ה' יג')
- What two laws are taught regarding a *chatat ha'ohf* that is brought in a case of doubt? (ה' יד')
- What is the minimum value of an *asham* offering? (ה' טו')
- What is the law regarding one that separated this sum of money then purchased two animals for the purpose of *asham* offerings? (ה' טז')
- What if the two animals were purchased for regular purposes? (ה' טז')
- Are sin-offerings "transferable"? (ה' טז')
- What is the law regarding an animal separated for a sin-offering whose owner died? (ה' טז')

## Local Shiurim

### Melbourne, Australia

#### Sunday -Thursday

10 minutes before *Mincha*  
Mizrachi Shul  
Melbourne, Australia

#### Friday & Shabbat

10 minutes before *Mincha*  
Beit Ha'Roeh  
Melbourne, Australia

### Efrat, Israel

*Shiur in English*

#### Sunday -Thursday

Rabbi Mordechai Scharf  
9:00am  
Kollel Magen Avraham  
Reemon Neighbourhood

### ONLINE SHIURIM

*Rabbi Chaim Brown*  
[www.shemayisrael.com/mishna/](http://www.shemayisrael.com/mishna/)

*Rav Meir Pogrow*  
[613.org/mishnah.html](http://613.org/mishnah.html)

*Rabbi E. Kornfeld*  
*Rabbi C. Brown*  
<http://www.dafyomi.co.il/calendars/myomi/myomi-thisweek.htm>

### SHIUR ON KOL HALOSHON

*Rabbi Moshe Meir Weiss*  
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## Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
14 <sup>th</sup> September י"ט אלול	15 <sup>th</sup> September כ' אלול	16 <sup>th</sup> September כ"א אלול	17 <sup>th</sup> September כ"ב אלול	18 <sup>th</sup> September כ"ג אלול	19 <sup>th</sup> September כ"ד אלול	20 <sup>th</sup> September כ"ה אלול
Keritut 6:8-9	Meilah 1:1-2	Meilah 1:3-4	Meilah 2:1-2	Meilah 2:3-4	Meilah 2:5-6	Meilah 2:7-8

