



Meilah for Young Torin

During the past week we have been discussing how and when the prohibition of *meilah* applies to various *korbanot*. One interesting case is that of bird offerings and in particular, regarding birds that are not at the correct age to be offered. Regarding *bnei yonah* (young pigeons) that were consecrated after they were too old to be offered, everyone agrees that even though the prohibition of *meilah* does not apply, one is still not allowed to derive benefit from them. Regarding *torin* (turtledoves) that are too young to be offered, there is a debate. The *Chachamim* maintain that it is no different to *bnei yonah* that are too old. *R' Shimon* however argues that in this case the prohibition of *meilah* would apply. We shall try to understand this debate.

The *Gemara* (12a) understands the position of *R' Shimon* – despite the fact that the *tor* is not yet fit to be used as a *korban*, it eventually will be (it is *mechusar zman*). *Rashi* explains that *R' Shimon* is consistent with his position regarding the prohibition of *oto ve'et beno* – slaughtering the mother and offspring on the same day. In that case, if the mother was already offered, since the offspring cannot be offered on that day, offering it outside the *Beit HaMikdash* would not be punishable with *karet*. Nevertheless, *R' Shimon* maintains that it is still prohibited to do so. In other words, since the offspring will be able to be offered from the next day, it has *kedusha* now.

The *Gemara* however questions the position of the *Chachamim*, asking how this case is different from any other case of *mechusar zman*. The *Gemara* answers that *mechusar zman* is similar to a *baal mum* (a blemished animal). In other words, with a *baal mum*, even though it cannot be offered, one can redeem it and purchase a replacement. With bird offering however, since a *mum* does not prevent it from being offered it cannot be redeemed. How are we to understand both the question and answer of the *Gemara*?

Rashi explains that the difficulty the *Gemara* presents the *Chachamim* is from *maaser behema*. There we find that even

a *mechusar zman* is included amongst the flock when designating *maaser behema*. (*Maaser behema* itself is learnt from the case of a *bechor behama* that attains it *kedusha* at birth, prior to being fit to be offered.) *Rashi* explains that the *Gemara* answers that an animal is different from bird. Since it as *kedusha* even when it has a *mum* it can be reasoned that it also has *kedusha* despite being *mechusar zeman*. That logic however cannot be said for birds.

The *Tosfot* (s.v. *bishlama*) however appear to understand that the difficulty of the *Gemara* is from a *mechusar zeman* in general and not the isolated case of *maaser behema*. This explanation appears to fit with the simple reading of the *Gemara* that does not refer to *maaser behema*. In any event, there appears to be a debate between *Rashi* and *Tosfot* whether a *mechusar zeman* in general attains *kedusha*. That nature of that debate requires further analysis.

How do we understand the resolution the *Gemara* presents for the *Chachamim*? Why is the fact that animals can be redeemed if they have a *mum* such a critical difference? Why can we not focus on the fact that both animal and bird offering have *kedushat ha'guf* and will simply be able to be offered later?

The *Keren Ora* (s.v. *ho'il*) explains that this is what divides the *Chachamim* and *R' Shimon*. For *R' Shimon* it is sufficient that the animal or bird eventually be fit for a *korban*. The *Chachamim* however demand that at the time of consecration the animal be immediately fit for *kedushat ha'guf* (to be offered) or for *kedushat damim* (affecting its value). For a *mechusar zeman*, despite not being fit for *kedushat ha'guf* at that moment, if the animal had a *mum* it would be fit for *kedushat damim*. For this reason, the prohibition for *meilah* can begin at the outset. Regarding the young *torin*, since they are fit for neither *kedushat ha'guf* or *kedushat damim* the prohibition of *meilah* does not apply.

Yisrael Bankier

Revision Questions

מעילה ב' ג' – ג' ז':

- Explain how the following sacrifices change (*halachically*) from when they are sanctified, slaughtered and their blood sprinkled on the *mizbeach*:
 - *Par Ha'Nisrafim*? (ב' ג')
 - *Olah*? (ד' ז')
 - *Chatat, Asham and Zivchei Shalmei Tzibur*? (ה' ז')
- What are the comparable three stages for *shtei halechem*? (ב' ז')
- What are the comparable three stages for *lechem ha'panim* and how does it change at each stage? (ז' ז')
- What are the comparable three stages for *mincha* offerings and how does it change at each stage? (ח' ז')
- What things only have two stages? Explain. (ב' ט')
- What is the general rule relating to the previous question? (ב' ט')
- What are the *chatat metot*? Where else was this *Mishnah* taught? Why is it taught here? (א' ג')
- Why does the prohibition of *meilah* not apply to money separated for the purpose of a *Nazir's korbanot*? (ב' ג')
- What is done with this money if the *Nazir* dies? Provide both scenarios. (ב' ג')
- In what way is the blood (of a *korban*) and the *nesachim* opposite from one another? (ג' ג')
- What is the law regarding *meilah* for the ashes from the *menorah*? (ד' ג')
- When does the law of *meilah* apply to the ashes from the inner altar? (ד' ג')
- What is the law regarding *meilah* for *Torin* that are too young to be offered and *bnei onah* that are too old to be offered? (ד' ג')
- About which of the above two cases does *R' Shimon* argue? (ד' ג')
- Regarding which form of *hekdesh* does *meilah* apply to the milk of the animal? (ה' ג')
- Can *meilah* apply to manure? (ו' ג')
- In what case would *meilah* not apply to the water in a designated water hole? (ו' ג')
- In what case is there a debate regarding whether *meilah* applies to the fruit of a *hekdesh* tree? (ו' ג')
- Can the off-spring of an animal set aside for a *korban* feed from its mother? (ו' ג')
- What is the law regarding spring water that has flowed from a *hekdesh* field into a regular field? (ז' ז')
- List the other three cases that are similar to the one in the previous question. (ז' ג')
- Which of those is the subject of debate? (ז' ג')

Melbourne, Australia

Sunday -Thursday

10 minutes before *Mincha*
Mizrachi Shul
Melbourne, Australia

Friday & Shabbat

10 minutes before *Mincha*
Mizrachi Shul
Melbourne, Australia

Efrat, Israel

Shiur in English

Sunday -Thursday

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

ONLINE SHIURIM

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Rabbi Chaim Brown
www.shemayisrael.com/mishna/

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
21 June כ"ט סיון	22 June ל' סיון	23 June א' תמוז	24 June ב' תמוז	25 June ג' תמוז	26 June ד' תמוז	27 June ה' תמוז
Meilah 3:8-4:1	Meilah 4:2-3	Meilah 4:4-5	Meilah 4:6-5:1	Meilah 5:2-3	Meilah 5:4-5	Meilah 6:1-2

