



Multiple Korbanot for One Act

The *Mishnah* (3:4) teaches that one can consume one item and be liable to four *chataot* (sin offerings) and one *asham* (guilt offering). The case presented is where a person who was *tameh* inadvertently ate *chelev* from a *korban* that was *notar* (left beyond the time it was meant to be offered) on *Yom Kippur*. The person is liable to bring four sin offering since there are four prohibitions that are punishable with *karet* if violated deliberately. They are: a person who is *tameh* that ate from a *korban*, consuming *chelev* and *notar*, and eating on *Yom Kippur*. Since the *chelev* from a *korban* is meant to be offered and not consumed, the prohibition of *meilah* is also violated.

The *mefarshim* discuss how multiple prohibitions can apply to the single act. Normally was say, *ein issur chal al issur* - if a prohibition already applies to an item, a later prohibition cannot also apply to it. Nevertheless, there are two exceptions that apply in this case. One is where the later prohibition is an *issur mosif*. That is where the later prohibition makes more of the item prohibited. For example, before the animal was consecrated as *korban*, whilst one was not allowed to consume the *chelev*, they could derive other benefit from it. Once the animal was consecrated, it was then prohibited to derive benefit from it; so the prohibition of *meilah* could also apply. The second exception is an *issur kollel*. That is where a later prohibition does not change the object in question, but rather makes more things prohibited to the individual. For example, once the individual becomes *tameh*, he can no longer eat from any part of the *korban*. Both these exceptions apply in this *Mishnah* obligating one to bring four *chataot* and one *asham*.

R' Meir however adds that if it was also *Shabbat*, and the person consumed the *chelev* as he was taking it from the private to public domain, then this would be an additional *chataot* that would be required. The *Chachamim* however respond that they were only focused on multiple *chataot* that came from one action – eating. *R' Meir's* addition was due to a different action.

The *Ketzot* (28:1) however questions what *R' Meir* was adding. If he violated the prohibition of *Shabbat* he would be exempt from the *korban* for *Meila*. This is because since he violated the capital offence of desecrating *Shabbat* he is exempt from the monetary obligation to pay the *keren ve'chomesh* – the value of what he ate plus an additional twenty-five percent. This is based on the principle of *kim lei be'derabbah minei*. Furthermore, he cites the *Tosfot* to explain that in a case where one is exempt from paying *keren ve'chomesh*, he does not bring a *korban meilah*. The *Tosfot* was explaining the *Gemara* (*Pesachim* 29a) that presents the opinion that if one ate *chametz* that was *hekdesh* on *Pesach* they would be exempt for the *korban Meilah*. That opinion maintains that since he is liable to *karet* he is exempt for the monetary payment, and therefore exempt, as the *Tosfot* explains from the *korban Meilah*.

The *Ketzot* answers that *kim lei be'derabbah minei* does not mean that the individual is completely exempt from the monetary component. It is simply that *Beit Din* cannot compel one to pay – *patur bi'dinei adam*. The prohibition is still there, and one should pay to settle his account with the heavenly court. That being the case since *Beit Din* does not compel one to bring sin or guilt offerings, there is no difference between *dinei adam* and *dinei shamayim* and *kim lei be'derabbah minei* would have no bearing on the issue.

The *Netivot HaMishpat* (28:2) however explains that there are two categories of *meilah*. *Meilah* with respect a *korban* that has *kedushat ha'guf* and *meilah* regarding something whose value belongs to *hekdesh* (*kedushat damim*). Consequently, in our case, the *meilah* relates to a *korban*. The *keren ve'chomesh* that needs to be paid is not compensation, but rather a necessary component for his *kaparah*. Consequently, *kim lei be'derabbah minei* is not relevant. The *Gemara* in *Pesachim* however was discussing *chametz* that had *kedushat ha'damim*. That payment is because one stole from *hekdesh* and since *kim lei be'derabbah minei* exempts him from that payment he does not bring a *korban meilah*.

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Revision Questions

כריתות ג' - ג' - ה': ג'

- How long has one waited between eating two half-*kezaytim* such that they do not combine to obligate him to bring a *korban*? (Include both opinions.) (ג': ג')
- What is the discussion regarding the minimum quantity of wine one drinks such that it is forbidden to enter the *Beit Ha'Mikdash*? (ג': ג')
- How is it possible that one can eat one thing and be obligated to bring four *chata'ot* and one *asham*? (ד': ג')
- How is it possible for a person to have one relationship and be obligated to bring six/seven *chata'ot*? (Provide more than one case.) (ה': ג')
- How can one person be prohibited in eight ways? (ו': ג')
- How is it possible for a person to have a relationship with one person who is their sister, father's sister and mother's sister and what is the law in such a case? (ז': ג')
- What case is brought from which the *tumah* status of an *eiver meduldal* is derived? (ח': ג')
- What are the two understandings of the question that *Rabbi Akiva* asked, which *R' Yehoshua* attempted to derive the answer from the case of "five *tamchui'im*"? Explain. (ט': ג')
- Regarding the previous question how did *R' Akiva* respond? (י': ג')
- How did *R' Eliezer* answer *R' Akiva's* question regarding one that performs many *melachot* (*be'shogeg*) on many *Shabbatot* and how did *R' Akiva* respond? (יא': ג')
- When is one required to bring an *asham talui*? (יב': ג')
- What are the similarities regarding the obligation to bring a *chatat* and the obligation to bring an *asham talui*? (יג': ג')
- What are the four opinions regarding the debate between *R' Yehoshua* and *R' Eliezer* about the level of knowledge/intent that one must have in order to bring a *korban chatat*? (יד': ג')
- If one consumed which specific blood are they punishable by *karet*? (Hard: what is the law regarding the other bloods listed?) (טו': ג')
- Explain the debate regarding whether one is obligated to bring an *asham talui* for *safek meilot*. (טז': ג')
- What was *R' Tarfon's* argument to *R' Akiva* regarding the previous question? (טז': ג')
- How did *R' Akiva* respond? (טז': ג')

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Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
1 March י"ב אדר	2 March י"ג אדר	3 March י"ד אדר	4 March ט"ו אדר	5 March ט"ז אדר	6 March י"ז אדר	7 March י"ח אדר
Keritot 5:4-5	Keritot 5:6-7	Keritot 5:8-6:1	Keritot 6:2-3	Keritot 6:4-5	Keritot 6:6-7	Keritot 6:8-9

