

The Weekly Daf



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Week of 15-21 Shevat 5756 / 5-11 February 1996

Zevachim 30-36

Rav Weinbach's insights, explanations and comments for the 7 pages of Talmud studied in the course of the worldwide Daf Yomi cycle

The Invisible Hand

The Rule:	If the kohen performing any one of the four vital services (slaughtering, receiving the blood, carrying it to the altar and applying it there) of a korban has in mind that the flesh of that korban be eaten or its innards burned on the altar at a time beyond that prescribed by the Torah (e.g. a korban <i>shlamim</i> may be eaten on the day it is slaughtered and the following day, but the kohen had in mind for it to be eaten on the third day), then the korban is considered <i>pigul</i> and disqualified.
The Questions:	Does the kohen have financial responsibility to the man whose korban he disqualified? A similar question was asked by Ahron (Arthur J.) Einhorn regarding the first mishna in Zevachim where a kohen requires the owner to bring a substitute animal by intending to slaughter the animal involved for the purpose of another category of korban.
The Answer:	In general, any damage inflicted which is not visible does not obligate compensation, so that the invisible damage of disqualifying a korban should not obligate the kohen to compensate the owner. The Sages, however, initiated a penalty of compensation in the event that the kohen deliberately caused such damage, in order to deter others from doing so, but left unintentional damagers free of payment (despite the fact that a human is responsible for even unintentional damage when it is visible.) In the case of <i>pigul</i> , therefore, the kohen will be financially responsible to the owner if he deliberately disqualifies it, for the owner will be responsible to supply another animal. Even if the owner has no obligation to supply a replacement because his vow was to offer this specific animal, the kohen is responsible for compensation because he denied the owner his opportunity to offer a gift to Hashem. In the case cited by Ahron there will be a difference as to the kohen's responsibility in deliberately intending the korban for another category which leaves the korban still kosher for sacrifice but requires the owner to bring a substitute for the fulfillment of the obligation he assumed with his vow. If the vow was a general one (<i>neder</i>) the vower is obligated to provide a substitute and therefore has a damage claim against the kohen. If the vow was limited to this specific animal (<i>nedavah</i>) then the owner has no need to provide a substitute and cannot even claim damages for denying him the opportunity to offer a gift to Hashem since the korban is kosher. (See Mishneh Lamelech, Rambam Hilchos Chovel U'Mazik 7:4).

Zevachim 30

Which Eating is Cheating

The Rule:	The disqualification of <i>pigul</i> only applies when the kohen had in mind, while performing the service on the korban, that its flesh would be eaten beyond the time limit set by the Torah.
The Question:	Does it matter whether the eating will be done by one who has a right to eat sacrificial flesh, or does this rule apply as long as the action the kohen had in mind to take place on the overdue date comes under the category of the word "eating" used by the Torah in reference to <i>pigul</i> ?
The Sources:	Opposing indications are offered by two different statements in this week's seven dapim. In one place (Zevachim 36b) we are told that if the kohen had in mind that ritually impure individuals, who are forbidden to partake of a korban's flesh, eat from the sacrificial flesh after the prescribed time the korban does not become <i>pigul</i> . In another place (Zevachim 31a) we learn that if the kohen had in mind to feed the sacrificial flesh to dogs after the prescribed time that humans may eat from it the korban becomes <i>pigul</i> .
The Problem:	If the criterion of eating in regard to <i>pigul</i> is whatever is described in Scripture as eating (as is the eating of dogs in Melachim II, chapter 9, Passage 10 regarding the prophecy of the dogs eating the flesh of the wicked Jezebel) then why is the eating of impure individuals not considered a sufficient prerequisite for the invocation of <i>pigul</i> ?
The Resolution:	When the kohen has in mind the impure ones as eaters he is invoking a situation in which the sacrificial flesh will become disqualified by their touching it even before they eat it, since korban flesh which has come into physical contact with someone impure becomes disqualified. He is therefore not considered as having envisioned a situation in which only the eating will be the problem and therefore <i>pigul</i> does not apply. (See first Tosefos on 36b.)

Zevachim 36b

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