

The Weekly Daf



by Rav Mendel Weinbach - Dean, Ohr Somayach Institutions

Menachos 72-78

Week of 28 Tammuz-5 Av 5756 / 15-21 July 1996
Rav Weinbach's insights, explanations and comments for the 7 pages of Talmud
studied in the course of the worldwide Daf Yomi cycle

A Mitzvah In Time

How beloved is a mitzvah performed in its preferred time!

This is how Rabbi Shimon explains the fact that the flesh and fats of the regular and additional sacrifices offered on Shabbos are placed on the altar to burn on Shabbos itself.

The rule is that once an animal has been slaughtered and its blood applied to the altar during the day, the burning of its flesh and fats may be done throughout the following night. If so, the question arises, why do we violate the Shabbos to burn them during the holy day when we could wait until Shabbos is over? After all, Rabbi Akiva has already taught us in regard to circumcision, which the Torah permitted on Shabbos, that we may not carry the circumcising knife through a public thoroughfare in violation of the Shabbos because it was possible to take care of that before Shabbos?

The answer, says Rabbi Shimon, is that there is a special quality to a mitzvah done in the preferred time. It is therefore permissible to place the flesh and fats on the altar even on Shabbos to achieve this special quality. In regard to circumcision, however, there is no special quality to bringing the knife on the day of the circumcision, and since it could have been done before Shabbos it is not permitted to violate the Shabbos by carrying it in prohibited fashion.

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An Exceptional Exception

"This shall be to you (Aaron and all the kohanim) from the holiest of the sacrifices ... and all their sin offerings ..." (Bamidbar 18:9)

The sin offering mentioned here includes the fowl offered as an atonement. The Torah stresses that the kohanim may eat the flesh of such a fowl, even though it has not been slaughtered in the regular manner of *shechita* required for rendering flesh kosher for consumption, but rather by the method of *melikah* in which the kohen uses his thumbnail to kill the bird.

A similar application of the novelty of *melikah* to understanding a biblical passage is found earlier in our Mesechta (45a). The Prophet Yechezkel (44:31) warns the kohanim against eating meat of an animal which has not been properly slaughtered. The puzzling implication is that non-kohanim are not forbidden to do so. Rabbi Yochanan indeed declares that we will have no real understanding of this prophetic chapter until the Prophet Eliyahu will arrive to explain it.

But the Sage Ravina offers an explanation. Since kohanim are permitted to eat from the sacrificial fowl which has not been slaughtered in the regular manner but killed by *melikah* we might assume that the Torah exempted kohanim from the ban on eating flesh from an animal not properly slaughtered. It was therefore necessary for Yechezkel to remind them that the exception was limited to sacrifices and that they were similar to all Jews in regard to the laws covering non-sacrificial flesh.

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Special to Scholars

Rashi (words beginning **ואנתי פריך**) states that the *binyan av* mentioned in the Gemara is not really a *binyan av*, but a *mah matzinu*. For elaboration on this point, see the *Kitzur Kelalim* of the 13 *Midos* (in the back of Mesechta *Berachos* in the standard *Shass*) for his explanation of the third *midah* — the *binyan av*.

Prepared by Ohr Somayach in Jerusalem, Israel

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