



Volume 10. Issue 28

## Korban Oleh Ve'Ored

This week we began learning *masechet Shevuot*. While the bulk of the *masechet* deals with the laws of oaths, much of our attention this week was related to the prohibition of entering the *Beit HaMikdash* or consuming *kodshim* in a state of *tumah*. We learnt that if one was aware of his *tumah*, then entered the *Beit HaMikdash* having forgotten his situation and only later remembered, he would be required to bring a *korban oleh v'ored*. This is a *korban* whose requirement varies with the financial standing of the person concerned. The *Bartenura* explains that a wealthy person was required to bring a sin offering from an animal; a poor person brought a pair of birds, one *chatat* and one *olah*; and an even poorer person would be able to bring a *mincha* offering (from flour).

The *Tifferet Yisrael* notes that this type of *korban* is unique and was only offered by one of five people. The first is one that swears falsely, denying knowledge that was required for a testimony (*shmiyat kol*). The second is one who makes a false oath, regarding the past or future (*shevuat bitui*). The thirds is our case mentioned above regarding *tumah*. Finally there is a woman who has given birth (*yoledet*) and a *metzorah*.<sup>1</sup>

The *Tifferet Yisrael* explains that the requirement of a *korban oleh ve'yored* is an indication of the severity of the situation that obligated it. Normally, if one cannot afford to bring a sin offering they wait until they have the finances. For these people however, there can be no delay and a sin offering must be brought and the flexibility ensures it. Why?

In a *shevuat bitui*, the act (the oath) in and of itself is not prohibited. It is dependent on the performance of another action. If we look at that act in isolation, there is likely to be nothing wrong with. It is the combination of the two that creates the problem. Similarly, with a *shevuat edut*, denying knowledge of an incident is not prohibited, unless of course he does know. A similar pattern is found with our case of *tumat mikdash*. Becoming tameh violates no prohibition and a *tahor* person is allowed to enter the *Beit HaMikdash*. Once again it is a combination of two factors that creates the prohibition. Consequently, in the mind of the person concerned the violation is minor. The person is therefore unlikely to contemplate the gravity of the sin and runs the risk of not performing a complete *teshuva*. The response therefore for such sins must be swift.

The issue with the *yoledet* and the *metzora* is however different – it is the frequency. Childbirth, it goes without saying, is not a rare occurrence. Similarly one of the causes of *tzaraat* is a *lashon ha'rah* which is a real problem that raises its head on a daily basis. The *Torah* therefore also treats them seriously requiring a *korban* as soon as possible.

The *Tifferet Yisrael* however notes that the difference between these last two is that the option of a *mincha* offering is not available. Meaning that someone who could not afford the bird offering would be able to wait. He explains that since these two people have already suffered enduring physical pain, the *Torah* lightened its approach relative to the other three sins.

**Yisrael Yitzchak Bankier**

<sup>1</sup> The *Tifferet Yisrael* provides the acronym שבטים to remember the five categories: טומאה, בטוי שפתיים, שמיעת קול, מצורע, يولדה, מקדש וקדשו.

## Revision Questions

מכות ג' יי"ד ט"ו

- What else occurred during lashes? (**ג' יי"ד ט"ו**)
- What is the law if the offender died during lashes? (**ג' יי"ד ט"ו**)
- When would the striker be sent to *galut*? (**ג' יי"ד ט"ו**)
- What is the law regarding *chayavei kritut* that receive lashes? (**ג' ט"ו ט"ז**)
- What does *R' Shimon* learn from the *p'sukim* relating to *karet*? (**ג' ט"ו ט"ז**)
- What does *R' Chananya ben Akashya* say and the end of the *masechet*? (**ג' ט"ז**)

שבועות א' א' ב' ד'

- Which three areas of *halacha* are “*shtayim she'hein arba*”? Explain. (**א' נ' ט"ז**)
- When is someone obligated to bring a *korban oleh ve'yored* for a *shevuah*? (**א' ב' ט"ז**)
- For the other cases, what is *mechaper*? (**א' ב' ג' ט"ז**)
- What are the two opinions for what is a *mechaper* for a person that did not have *yediyah* at all? (**א' ז' ט"ז**)
- What is *R' Meir*'s opinion with respect to the function of the *se'irim*? (**א' ט"ז**)
- Describe the debate around the opinion of *R' Shimon*. (**א' ז' ט"ז**)
- How does *R' Shimon ben Yehuda* differ in his understanding of *R' Shimon*? (**א' ח' ט"ז**)
- What *korban* atones for one that entered the *Mikdash* in a state of impurity deliberately? (**א' י' ט"ז**)
- What does the *seir ha'mishtaleach* atone for? (**א' י' ט"ז**)
- With respect to which *aveirah* is there a difference between the *korban* for *kohanim* and the rest of *Yisrael* and what are the respective *korbanot*? (**ז' א' ט"ז**)
- Complete the following expression and explain: (**ב' א' ט"ז**)
 

דיעות הסטומאה שהן
- Where exactly has someone entered (in a state of *tum'ah*) if they are obligated to bring a *korban oleh ve'yored*? (**ב' ב' ט"ז**)
- Explain the process by which the *azarah* could be extended. (**ב' ב' ט"ז**)
- When would someone who got *tameh* while in the *azarah* be required to bring a *korban oleh ve'yored*? (**ב' ג' ט"ז**)
- What is the case regarding *niddah* that is similar to the discussion in the previous *Mishnah*? (**ב' ד' ט"ז**)

## Local Shiurim

### Melbourne, Australia

**Sunday -Thursday**

10 minutes before *Mincha*  
Mizrachi Shul  
Melbourne, Australia

**Friday & Shabbat**

10 minutes before *Mincha*  
Beit Ha'Roeḥ  
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  
In US dial: 718 906 6400  
Then select: 1 – 2 – 4

## Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
25 <sup>th</sup> August י"ט אלול	26 <sup>th</sup> August כ' אלול	27 <sup>th</sup> August כ"א אב	28 <sup>th</sup> August כ"ב אלול	29 <sup>th</sup> August כ"ג אלול	30 <sup>th</sup> August כ"ד אלול	1 <sup>st</sup> September כ"ה אלול
Shevuot 2:5-3:1	Shevuot 3:2-3	Shevuot 3:4-5	Shevuot 3:6-7	Shevuot 3:8-9	Shevuot 3:10-11	Shevuot 4:1-2

