

# The Weekly Daf



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Me'ilah 12-18

Week of 18-24 Sivan 5757 / 23-29 June 1997

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

## Between Blood and Blood

The law of *me'ilah* (misuse of sacred property for secular purpose, which, if done unintentionally, requires a sacrifice for atonement) does not apply to the blood of a slaughtered sacrificial animal. This is the majority opinion of the Sages stated on the previous *daf*. The reason given there by Rabbi Yishmael's yeshiva is that the Torah (*Vayikra* 17:11) explains the ban on eating animal blood on the grounds that Hashem gave us the opportunity to utilize a sacrificial animal's blood on the altar to achieve atonement for our sins. This blood was intended only "for atonement" and not for the law of *me'ilah*.

What about the blood of a sacrificial animal which is taken from it while it is alive, such as in the case of bloodletting for medicinal purposes? The Sage Rav ruled that the law of *me'ilah* does indeed apply to this kind of blood. It is considered an inseparable, indispensable part of the animal and therefore differs from the milk and eggs produced by sacrificial creatures to which *me'ilah* does not apply.

This is adequate as an explanation of the distinction between blood taken from the live animal and any other substance which is not considered an integral part of the animal. But there is still a need to understand how any blood can qualify for the law of *me'ilah* if the Torah specifically limited the use of blood "for atonement" only and not for *me'ilah*.

The answer lies in that very phrase "for atonement." Only blood which is eligible to serve as atonement was excluded from the law of *me'ilah*. The blood taken from a live animal in the bloodletting process cannot be applied to the altar as any form of atonement, and is therefore not affected by the Torah's limitation on the law of *me'ilah* relating to blood.

It should be added that the ban on eating blood does, however, apply to such blood which cannot serve as atonement in the same way that it is forbidden to eat the blood of animals which have not been consecrated as sacrifices or of kosher beasts and birds which are not even eligible for sacrifices. The Torah's explanation for the ban on blood because blood has a sacred purpose was intended to serve as a reason for prohibiting any sort of blood.

Me'ilah 12b

## The Mystery of the Nest

An idol is forbidden for any use by a Jew unless the heathen has renounced his intention of further worshipping it. The clearest demonstration of such renunciation is an action on his part to smash that idol or any part of it.

What is the rule if the idol fell and was thus smashed, not through the action of the idol worshipper?

There is a difference of opinion on this point between the sages Rabbi Yochanan and Rabbi Shimon ben Lakish. The first is of the opinion that the remains of this idol are still forbidden because there was no visible renunciation of its worship by the heathen. The opposing view is that these remains are now permitted for use because we may assume that the worshipper has renounced any intention of continued worship. "If the idol was not capable of saving itself," says the heathen in his heart, "how will it be capable of saving me!"

Their differing opinions lead them to differing interpretations of the rule stated in the Mishnah that if there is a bird's nest atop an *ashera* tree worshipped as an idol a Jew may remove it from the tree with the end of a pole. Rabbi Shimon ben Lakish understood this to mean that the nest had been formed from branches the bird had broken off that tree. This is therefore an idol which was smashed, albeit not by the idol worshipper, and permitted for use by the Jew who may now appropriate the nest.

Rabbi Yochanan, however, reads the Mishnah otherwise. The branches used for building the nest have been brought from another, non-idolatrous tree and the issue is not whether the nest may be used or not. What is of concern are the fledgling birds in the nest. The Mishnah informs us that since these birds are already capable of flying wherever they wish they are not considered to be a part of the forbidden idol tree and may be removed with a pole from its top, for permissible use.

Me'ilah 14a

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