

FIRST PEREK, SECOND MISHNA

by Rabbi Menachem Moshe Oppen

Expanded Translation

If one or a few Chatos birds mingle with a group of Olah birds and cannot be distinguished, or if one or a few Olah birds mingle with a group of Chatos birds, even if one mingles with ten thousand, all of them must be left to die. None of these birds may be brought as a korbon, or used for any other purpose.

Comment

Throughout this masechta, the singular words Chatos and Olah refer to groups of Chato'os and Olos; thus the translation, "one or a few." (Corroborated by the Raza on this Mishna.)

Example of the Case of the Mishna

Birds that were specified as Chato'os flew among and became confused with birds that were all specified as Olos.

Result

Each of the birds is a possible Chatos meforeshes and a possible Olah meforeshes.

Din

None of the birds is brought as a korbon. Other birds must be brought by the owner to satisfy her obligations.

Reason

*If any bird is brought it might be brought as the wrong korbon.
If Olos flew into the group of Chato'os the result and din are analogous.*

Expanded Translation

If one or more Chatos birds become mingled with a group of kinim stumos that have been designated as chovos (see kain stuma, in the Background section) only the number of Chato'os that were to be brought from among the chovos is fit to be brought.

And similarly, if one or more Olah birds become mingled with a group of kinim stumos, only the number of Olos that were to be brought from among the birds of chova is fit to be brought. This is regardless whether the chovos are the majority and the Olos that were voluntarily offered are the minority...

Example of the Case of the Mishna

A designated Olah flies into a group of four birds that are stumos.

Result

Each of the five birds might be the Olah meforeshes (designated Olah).

Din

Two Olos and no Chato'os are brought.

Reason

Any bird brought as a Chatos might be the Olah meforeshes. Therefore, no Chato'os may be brought. If three Olos were brought they might all be of the original group of four birds. Only two Olos may be brought from that group. [Diagram I]

Expanded Translation

...or the voluntary Olos are the majority and the chovos are the minority...

Example of the Case of the Mishna

Four Olos meforoshos become mingled with a kain stuma.

Result

Each of the six birds might be an Olah meforeshes.

Din

One Olah and no Chato'os are brought.

Reason

Any bird brought as a Chatos might be the Olah meforeshes. Therefore, no Chato'os may be brought. One Olah may be brought, but if two Olos were brought they might both be of the original kain. Only one Olah may be brought from a kain. [Diagram 2]

Expanded Translation

...or the numbers of both the Olos and the birds in the kinim stumos are equal.

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[Rabbi Menachem Moshe Oppen](#) and [Project Genesis, Inc.](#)

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