

SECOND PEREK, FOURTH MISHNA

by Rabbi Menachem Moshe Oppen

Expanded Translation

There are two kinim, an undesignated kain and a kain in which the Chatos and Olah are designated. The two birds in the designated kain mingle, and it is no longer discernable which bird is the Chatos and which is the Olah. One bird flew from the undesignated kain to the kain whose birds are designated. Both of the designated birds as well as the newcomer become maysos (must be left to die). The owner should obtain a partner for the second bird that remains in the kain stuma.

Now one of the three birds in the group with the designated kain flew back and joined the single bird of the undesignated kain. Or, in a new case, there was a kain meforeshes and a kain stuma, and initially a bird flew from the meforeshes to the stuma. We do not know whether the newcomer is the Chatos or the Olah of the meforeshes. In both these cases, all four birds must be left to die.

Example of the Case of the Mishna

Chozar

The first case of the Mishna ended with a group of three birds and a group of one. None of the group of three was permitted to be brought, that is, they are maysos (must be left to die). The other group consists of the remaining stuma.

Now a bird moves from the group of three maysos and joins and becomes mingled with the stuma. [Diagram 28]

Din

None of the birds is brought.

Reason

Any of the four birds might be a designated Chatos or Olah. We may not risk bringing a designated Chatos or Olah as the wrong korbon.

Example of the Case of the Mishna

Oh sheporach...

In the preceding case, first a bird moved from the kain stuma to the kain meforeshes. Then a bird moved from the kain meforeshes to the kain stuma. In contrast, at the beginning of the present case a bird moves from the kain meforeshes to the kain stuma, and we do not know whether that bird is the Chatos or the Olah.

Result

The kain meforeshes now consists of one bird, and we do not know if it is the designated Chatos or the designated Olah. In the kain stuma a designated Chatos or Olah is mingled with the two stumos.

Din

None of the birds is brought.

Reason

Any of the four birds might be a designated Chatos or Olah. We may not risk bringing a designated Chatos as an Olah or a designated Olah as a Chatos. [Diagram 29]

Feedback is appreciated! It can be sent to: oppen@torah.org.