Korban Oleh Ve'Yored - Making Korbanot Affordable? Shavuot 2a

The first mishnah in Shevuot discusses the korban oleh ve'yored, a korban chatat that is brought of different food material depending on one's finances. For what averot can this korban be given, and what is the logic behind it? Does it offer us larger ideas about korbanot, avera or religious life generally?

Questions? Comments? Email dinanddaf@gmail.com

1. משנה שבועות א:א

ָשְׁבוּעוֹת – שְׁתַּיִם שֶׁהֵן אַרְבַּע.

With regard to oaths on an utterance of the lips, there are two types that are actually four types. (i.e., the Torah specifies 2 types of false oaths about the future, and rabbinic tradition extrapolates to include 2 types of false oaths about the past)

יִדִיעוֹת הַטּוּמְאָה – שְׁתַּיִם שֶׁהֶן אַרְבַּע.

With regard to cases of awareness of the defiling by entering *kodesh*/eating *kodashim* while one is ritually impure, there are two types that are actually four types (i.e., the Torah specifics being 2 types of being unaware of one's own impurity - when either walking into the Temple or eating sacrificial foods- and rabbinic tradition extrapolates to include an additional two types of being unaware of the status of what the impure person is interacting with - i.e., that it is the Temple or that these are *kodashim*, even as one knows their own impurity status.)

ָיִצִיאוֹת הַשַּׁבַּת – שָׁתַּיִם שֶׁהֵן אַרְבַּע.

With regard to acts of carrying out that are prohibited on Shabbat, there are two types that are actually four. (i.e., the Torah specifies 2 types of carrying from private to public one by the person indoors and one by the person outdoors, and rabbinic tradition extrapolates 2 types of carrying from public to private as well - one by the person indoors and one by the person outdoors.)

מַרְאוֹת נָגַעִים – שָׁנַיָם שֵׁהַן אַרְבַּעַה.

With regard to shades of leprous marks on a person's skin, there are two types that are actually four. (i.e., the Torah mentions two types of marks, and rabbinic tradition extrapolates two more.)

ָאֶת שֶׁיֶשׁ בָּהּ יִדִיעָה בַּתִּחְלָּה וִידִיעָה בַּסּוֹף וְהָעָלֵם בֵּינַתַיִם – הֲרֵי זֶה בִּעוֹלֶה וִיוֹרֵד.

Referring to defiling the Temple or its sacrificial foods: In cases in which one had awareness before transgressing, and had awareness after transgressing, (but the person had a lapse of awareness during the transgression), this person is liable to bring a sliding-scale offering.

2. ויקרא ה:א-ז, יא

א וְנֵפֶשׁ כִּי־תֶחֱטָׂא וְשָׁמְעָה` קּוֹל אָלָּה וְהָוּא עֵּד אָוֹ רָאָה אָוֹ יֵדֶע אִם־לָוֹא יַגַּיד וְנָשָּׂא עֲוֹנְוֹ:

If a person incurs guilt—When one has heard a public imprecation but (although able to testify as having either seen or learned of the matter) has not given information and thus is subject to punishment;

ב אָוֹ נֶּפֶשׁ אֲשֶׁר תִּנַע ऀבְּכָל־דָּבָר טָמֵאֹ אוֹ ऀבְנִבְלַּת חַיָּה טְמֵאָה אָוֹ בְּנִבְלַת ּבְּהֵמֶה טְמֵאָה אָוֹ בְּנִבְלַת שָׁבֶץ טָמֵא וּ בְּנִבְלַת שָׁבֶץ טָמֵא וּצָשָׁם: וְנַעֵלֶם מִמֵּנוּ וְהָוּא טָמֵא וָאֲשָׁם:

Or when a person touches any impure thing (be it the carcass of an impure beast or the carcass of impure cattle or the carcass of an impure creeping thing) and the fact has escaped notice, and then, being impure, that person realizes guilt;

בּ אָוֹ כִּי יַגַּעֹ בְּטֵמְאַת אָדָּם לְכֹל טֵמְאָתׄוֹ אֲשֶׁר יִטְמָא בֶּהּ וְנֶעְלָם מִמֶּמנּוּ וְהָוּא יָדֻע וְאָשֵׁם:
Or when one touches human impurity (any such impurity whereby someone becomes impure) and, though having known about it, the fact has escaped notice, but later that person realizes guilt;

דּ אָוֹ נֶֶּפֶשׁ כִּי תִשָּׁבַע[®] לְבַפֵּא בִשְּׂפָתַׁיִם לְהָרַע וּ אָוֹ לְהֵיטִיב [°]לְנֵׁל אֲשֶׁר יְבַטֵּא הָאָדֶם בִּשְּבֵעָה וְנֶעְלָם מִמֶּנּוּ וְהוּא־יַדֵע וְאָשֵׁם לְאָחַת מֵאֵלֵּה:

Or when a person utters an oath to bad or good purpose (whatever a human being may utter in an oath) and, though having known about it, the fact has escaped notice, but later that person realizes guilt in any of these matters—

ָה וָהָיֶה כִי־יֶאִשָּׁם לְאַחַת מֵאֵלֶּה וְהָּתְוַדְּה אֲשֶׁר חָטָא עָלֵיהָ:

upon realizing guilt in any of these matters, one shall confess having sinned in that way.

וּ וְהֵבִיא אֶת־אֲשָׁמְוֹ לַה' עַל חַטָּאתוֹ אֲשֶׁר חָטָׁא נְקַבָּה מִן־הַצָּאן כִּשְׁבֶּה אְוֹ־שְׂעִיַרַת עִזַּים לְחַטֵּאת וְכָפֶּר עָלֶיו הכֹּהן מחטַאתוֹ:

And one shall bring as a penalty to יהוה, for the sin of which one is guilty, a female from the flock, sheep or goat, as a sin offering; and the priest shall make expiation for the sin, on that person's behalf.

ז וְאָם־לֹֹא תַגִּיעַ יָדוֹ דֵּי שָׁהٞ וְהַבִּיא אֶת־אֲשָׁמׁוֹ אֲשֶׁר חָטָּא שְׁתַּי תִּרֶים אְוֹ־שְׁנֵי בְנֵי־יוֹנֶה לַה' אֶחֶד לְחַטֵּאת וְאֶחֶד לְעַלֵּה: But if one's means do not suffice for a sheep, that person shall bring to יהוה, as the penalty for that of which one is guilty, two turtledoves or two pigeons—one for a sin offering and the other for a burnt offering.

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יא וְאִם־לֹא [°]תַשִּּׁיג יָדׁוֹ לִשְׁתֵּי תֹּרִים או ֹ לִשְׁנֵי בְנֵי־יוֹנָהֿ וְהֵבְּיא אֶת־קְרְבָּנוֹ אֲשֶׁר חָטָא עֲשִׂירָת הָאֵפֶּה סְּלֶת לְחַטֵּאת לֹא־יַשִּׁים עַלֵּיהַ שָּׁמֵן וְלֹא־יִתֵּן עַלֵּיהַ לְבֹּנָה כִּי חַטָּאת הָוֹא:

And if one's means do not suffice for two turtledoves or two pigeons, that person shall bring as an offering for that of which one is guilty a tenth of an *ephah* of choice flour for a sin offering; one shall not add oil to it or lay frankincense on it, for it is a sin offering.

3. משנה כריתות ב:ד

אלו מביאין קרבן עולה ויורד: על שמיעת הקול ועל ביטוי שפתים ועל טומאת מקדש וקדשיו והיולדת והמצורע

These people bring a progressive *korban*: on hearing a voice (swearing about testimon), on the utterance of the lips, on defiling the Temple or its *kodashim*, one who gives birth, and the person with the *tsaraat* skin disease.

4. ד"ר יונתן גרוסמן, קורבן עולה ויורד

ניתן אפוא לסכם ששלושת המקרים הללו מתייחדים בכך שאף שהאדם לא פעל בהם ולא עשה מעשה איסור, באי עשייתו הוא פגע בהשראת שכינה בישראל ועל כן עליו להביא חטאת ולחטא את המזבח. במקרים אלו היה עליו לפעול לאור דבר מה שהתרחש בשלב מוקדם: להעיד לאחר ששמע קול אלה; להיטהר לאחר שנטמא; ולקיים את שבועתו שנאמרה בשם ה'. מחדלו פגע, בדרך זו או אחרת, בשם ה' ובהשראת שכינתו. זהו חיוב על מחדל, שאינו אלא עשייה באפס מעשה.

We can however summarize that these three instances are unified by the fact that even though the person did not commit any action, by not acting, they harmed the resting of the Divine Presence in Israel. And therefore, one must bring a *chatat* and cleanse the altar. In these situations, the person should have acted based on something that happened earlier: to testify after hearing the oath call for testimony, the ritually immerse once becoming ritually impure, and to fulfill what they swore in God's name. The person's failure caused harm in one way or another to the name of God and the immanence of God's Presence. This is an obligation for failure, which is doing by not doing.

5. רמב"ן ויקרא ה:ז

יתכן שהטעם בשבועות מפני שאינן חייבי כריתות, ובטומאת מקדש וקדשיו מפני שהוא טועה בדבר מצוה, כי הכהן האוכל קדשים והבא למקדש להשתחוות או להקריב קרבן עוסק הוא במצוה ודעתו לשמים, ולפיכך אע"פ שחטא בהעלמת הטומאה ריבה לו הכתוב כפרות. It seems that the reason regarding oaths is that they do not incur excision; and regarding defiling the Temple and the *kodashim* because one is making a mistake within trying to do a *mitzvah*, for the *kohen* who is eating the *kodashim* or one who comes to the Temple to bow or to offer a sacrifice is involved in a *mitzvah* and their intention is towards Heaven. And therefore, even though that person sinned by being unaware of impurity, Scripture offers them many options for atonements.

6. אברבנאל

וממה שאמר הכתוב אחר כל זה 'וכפר עליו הכהן על חטאתו אשר חטא מאחת מאלה', מורה הוראה אמתית שמה שאמר 'ואם לא תשיג ידו' חוזר על כל מיני החטאת...

And based on what Scripture states afterwards: And the *kohen* shall atone for the person's sin that they did among these," it teaching a true teaching that what is meant by "and if one cannot afford..." refers to any kinds of *korban hatat*...

ומאשר אלו הענינים הווים ויקרו תמיד, ומי שהוא עני ודל לא ינצל מאלה ואף שישמור עצמו בכל כחו ולא יספיק לו ממונו להביא קרבנות, לכן אמרה התורה בזה 'ואם לא תגיע ידו די שה'.

And because these things happen all the time, and one who is poor will not be saved from any of these, and even the poor person guards themselves with all of their might, they money will not be enough for bringing sacrifices. And therefore the Torah said about this: "And if one cannot afford a sheep..."

7. ספר החינוך מצוה קכג - מצוות קרבן עולה ויורד

כבר אמרנו (מצוה צה) כי עניין הקורבן להזכיר ולהשיב החושב אל לבו בכוח הפעלה כי הרע מעשיו, ושיבקש מחילה לאל על העשוי, ויזהר על העתיד. ומחכמתו ברוך הוא ובידיעתו קלות שכל בני איש ומיעוט הבנתם ודלות כוחם, הקל עליהם הכפרה בחטאים האלה הנזכרים להיותם כפי עושר בני אדם ועוניים, לפי שכשלונם קרוב אצל בני אדם...

We already said (mitzvah 95) that korbanot are meant to remind a person and return them to their heart through action because that person committed bad actions; and the person should ask forgiveness of God for what was done and should be careful in the future. And in God's wisdom and knowledge of the flightiness of the human mind and their meager understanding and impoverished strength, God made the process of atonement for these sins that are mentioned to be based on one's finances because people falter over these sins often...