

Nothing's Perfect...Except Kodshim? - Bechorot 33b

1. בכורות לג:

מתני' בכור שאחזז דם, אפילו מת — אין מקיזין לו דם, דברי רבי יהודה. וחכמים אומרים: יקז, ובלבד שלא יעשה בו מום, ואם עשה בו מום — הרי זה לא ישחט עליו. רבי שמעון אומר: יקז, אף על פי שהוא עושה בו מום.

MISHNA: With regard to a firstborn animal that was congested with excess blood, even if the animal will die if one does not let the excess blood, one may not let its blood, as this might cause a blemish, and it is prohibited to cause a blemish on consecrated animals. This is the statement of Rabbi Yehuda. And the Rabbis say: One may let the blood provided that he will not cause a blemish while doing so, and if he caused a blemish, the animal may not be slaughtered on account of that blemish. Since he was the cause of the blemish, he may not slaughter the animal until it develops a different, unrelated blemish. Rabbi Shimon says: One may let the blood even if he thereby causes a blemish in the animal.

2. גיטין נו.

אמר: הואיל והוו יתבי רבנן ולא מחו ביה, שמע מינה קא ניחא להו, איזיל איכול בהו קורצא בי מלכא. אזל אמר ליה לקיסר: מרדו בך יהודאי! אמר ליה: מי יימר? אמר ליה: שדר להו קורבנא, חזית אי מקרבין ליה.

After having been cast out from the feast, bar Kamtza said to himself: Since the Sages were sitting there and did not protest the actions of the host, although they saw how he humiliated me, learn from it that they were content with what he did. I will therefore go and inform [*eikhul kurtza*] against them to the king. He went and said to the emperor: The Jews have rebelled against you. The emperor said to him: Who says that this is the case? Bar Kamtza said to him: Go and test them; send them an offering to be brought in honor of the government, and see whether they will sacrifice it.

אזל שדר בידיה עגלא תלתא. בהדי דקאיתי שדא ביה מומא בניב שפתיים, ואמר ליה בדוקין שבועין — דוכתא דלדין הוה מומא, ולדידהו לאו מומא הוא.

The emperor went and sent with him a choice three-year-old calf. While bar Kamtza was coming with the calf to the Temple, he made a blemish on the calf's upper lip. And some say he made the blemish on its eyelids, a place where according to us, i.e., *halakha*, it is a blemish, but according to them, gentile rules for their offerings, it is not a blemish. Therefore, when bar Kamtza brought the animal to the Temple, the priests would not sacrifice it on the altar since it was blemished, but they also could not explain this satisfactorily to the gentile authorities, who did not consider it to be blemished.

סבור רבנן לקרוביה משום שלום מלכות. אמר להו רבי זכריה בן אבקהולס: יאמרו בעלי מומין קריבין לגבי מזבח! סבור למיקטליה דלא ליזיל ולימא. אמר להו רבי זכריה: יאמרו מטיל מום בקדשים יהרג!

The blemish notwithstanding, the Sages thought to sacrifice the animal as an offering due to the imperative to maintain peace with the government. Rabbi Zekharya ben Avkolas said to them: If the priests do that, people will say that blemished animals may be sacrificed as offerings on the altar. The Sages said: If we do not sacrifice it, then we must prevent bar Kamtza from reporting this to the emperor. The Sages thought to kill him so that he would not go and speak against

them. Rabbi Zekharya said to them: If you kill him, people will say that one who makes a blemish on sacrificial animals is to be killed. As a result, they did nothing, bar Kamtza's slander was accepted by the authorities, and consequently the war between the Jews and the Romans began.

אמר רבי יוחנן: ענוותנותו של רבי זכריה בן אבקולס, החריבה את ביתנו, ושרפה את היכלנו, והגלתנו מארצנו.
Rabbi Yohanan says: The excessive humility of Rabbi Zekharya ben Avkolas destroyed our Temple, burned our Sanctuary, and exiled us from our land.

3. ויקרא כב:יח-כא

יח דבר אל-אהרן ואל-בניו ואל-כל-בני ישראל ואמרת אליהם איש איש מבית ישראל ומן-הגר בישראל אשר יקריב קרבנו לכל-נדריהם ולכל-נדבותם אשר-יקריבו לי-ה' לה' לעלה:

Speak to Aaron and his sons, and to all the Israelite people, and say to them:

When anyone of the house of Israel, or of the strangers in Israel, presents a burnt offering as their offering for any of the votive or any of the freewill offerings that are offered to GOD,

יט לרצונכם תמים זכר בבקר בכשבים ובעזים:

it must, to be acceptable in your favor, be a male without blemish, from cattle or sheep or goats.

כ כל אשר-בו מום לא תקריבו כי-לא לרצון יהיה לכם:

You shall not offer any that has a defect, for it will not be accepted in your favor.

כא ואיש כי-יקריב זבח-שלמים לי-ה' לפלא-נדר או לנדבה בבקר או בצאן תמים יהיה לרצון כל-מום לא יהיה-בו:
And when anyone offers, from the herd or the flock, a sacrifice of well-being to GOD for an explicit vow or as a freewill offering, it must, to be acceptable, be without blemish; there must be no defect in it.

4. ספרא אמור ז:ט

[ט] "תמים יהיה לרצון" – מצות עשה. מצות לא תעשה מנין? תלמוד לומר "כל מום לא יהיה בו". נפל מן הגג ונשתבר, יכול יהא עובר עליו? תלמוד לומר "כל מום לא יהיה בו" – אל תתן בו מום.

9) "perfect shall it be for acceptance": a positive commandment. Whence the negative commandment? "No blemish shall be in it." If it fell from a roof and were broken I might think that he (the owner) is in transgression; it is, therefore, written "No blemish shall be on it" — Do not cause a blemish in it.

5. משנה מעילה ה:א

הנהנה שוה פרוטה מן ההקדש, אף על פי שלא פגם, מעל, דברי רבי עקיבא. וחכמים אומרים, כל דבר שיש בו פגם, לא מעל עד שיפגם. וכל דבר שאין בו פגם, כיון שנהנה, מעל. כיצד. נתנה קטלא בצוארה, טבעת בידה, שותתה בכוס של זהב, כיון שנהנית, מעלה. לבש בחלוקה, כסה בטלית, בקע בקרדום, לא מעל עד שיפגם. תלש מן החטאת כשהיא חיה, לא מעל עד שיפגם. כשהיא מתה, כיון שנהנה, מעל:

One who derives benefit equal to the value of one *peruta* from a consecrated item, even though he did not damage it, is liable for its misuse; this is the statement of Rabbi Akiva. And the Rabbis say: With regard to any consecrated item that has the potential to be damaged, one is

not liable for misuse until he causes it one *peruta* of damage; and with regard to an item that does not have the potential to be damaged, once he derives benefit from it he is liable for misuse. The mishna elaborates: How so? If a woman placed a consecrated gold chain [*ketala*] around her neck, or a gold ring on her hand, i.e., her finger, or if one drank from a consecrated gold cup, since they are not damaged through use, once he derives benefit equal to the value of one *peruta* from them, he is liable for misuse. If one wore a consecrated robe, covered himself with a consecrated garment, or chopped wood with a consecrated ax, he is not liable for misuse until he causes them one *peruta* of damage. One who derives benefit from a sin offering while it is alive is not liable for misuse until he causes it one *peruta* of damage. When it is dead, once he derives benefit equal to the value of one *peruta* from it, he is liable for misuse.

6. עבודה זרה יג:

אין מקדישין, ואין מחרימין, ואין מעריכין בזמן הזה, ואם הקדיש והחרים והעריה — בהמה תיעקר, פירות כסות וכלים.

One may neither consecrate objects, nor dedicate items for sacred use, nor value an item's worth based on its appraisal (see Leviticus, chapter 27) and dedicate its monetary worth to the Temple treasury, in the present time, when the Temple no longer exists. And if one did consecrate, or dedicate, or value items for sacred use, the presence of these items might lead to the violation of the prohibition against using consecrated property. Therefore, if one dedicated an animal it should be destroyed. If he dedicated produce, garments, or vessels made from materials that decompose,

ירקבו, מעות וכלי מתכות — יוליכם לים המלח, ואיזהו עיקור? נויעל דלת בפניה, והיא מתה מאליה! he should store them until they decompose. And if he dedicated money or metal vessels, he should take them and cast them into the Dead Sea. And what constitutes destroying? He locks the door before it, and the animal dies on its own from hunger. According to the *baraita*, the disposal of the animal is carried out by starving it, not by cutting its hooves.

אמר אביי: שאני התם, משום בזיון קדשים. ונשחטיה מישחט! אתו בהו לידי תקלה. Abaye said: There, in the case of a consecrated animal, the method employed is different, because cutting the animal's hooves would cause the degradation of sacrificial animals. The Gemara asks: But why does the *baraita* require this complicated method of killing the animal? Why not simply state that he should slaughter it? The Gemara answers: If he were to slaughter it, someone might come to experience a mishap through it, by eating the meat and thereby misusing consecrated property.

ולישניה גיסטרא! אמר אביי: אמר קרא "ונתצתם את מזבחתם וגו' לא תעשון כן לה' א-להיכם". The Gemara asks: But why not let him render the animal a shard [*gistera*], by mutilating it so that it is unfit to be eaten? Why is it necessary to kill it in such a drawn-out fashion, by starving it to death? Abaye said that it is because the verse states: "And you shall break down their

altars...you shall not do so to the Lord your God” (Deuteronomy 12:3–4). It is derived from here that one may not actively destroy any sacred item.

רבא אמר: מפני שנראה כמטיל מום בקדשים. נראה? מום מעליא הוא! הני מילי בזמן שבית המקדש קיים, דחזי להקרבה. השתא דלא חזי להקרבה — לית לן בה.

Rava said there is a different reason a consecrated animal may not be disposed of by cutting its hooves: It is because it appears as though he is inflicting a blemish on a sacrificial animal. The Gemara asks: Why does Rava say that it merely appears as though he is inflicting a blemish, when in actual fact he is inflicting a full-fledged blemish? The Gemara answers: This matter, that one may not inflict a blemish on a sacrificial animal, applies only when the Temple is standing, as the animal is fit for sacrifice and he renders it unfit. By contrast, now, when the animal is not fit for sacrifice, since there is no Temple, we have no problem with it by Torah law. The only problem is that it appears as though one is inflicting a blemish on a sanctified animal.

וליהוי כמטיל מום בבעל מום, דאף על גב דלא חזי להקרבה — אסור! בעל מום, נהי דלא חזי לגופיה — לדמי חזי, לאפוקי הכא, דלא לדמי חזי ולא לגופיה חזי.

But this should be considered equivalent to one who inflicts a blemish on an animal that is already blemished, which is prohibited even though that animal is not fit for sacrifice. The Gemara answers: In the case of a blemished animal when the Temple is standing it is prohibited to inflict a blemish upon it, as granted, it itself is not fit to serve as an offering; but it is fit to make use of its monetary value, i.e., another animal may be purchased with the proceeds of its sale and sacrificed in its place. This is to the exclusion of the case here, when there is no Temple, as the animal is not fit for its monetary value and it is not fit to serve as an offering itself.

7. רמב"ם הלכות ערכים וחרמין ח:ח

אין מקדישין ולא מעריכין ולא מחרימין בזמן הזה שאין שם מקדש בחטאינו כדי לחזק את בידקו. ואם הקדיש או העריך או החרימם אם היתה בהמה נועל דלת בפניה עד שתמות מאליה. ואם היו פרות או כסות או כלים מניחין אותן עד שיערקבו. ואם היו מעות או כלי מתכות ישליכן לים המלח או לים הגדול כדי לאבדן.

In the present era, we do not consecrate property, nor make evaluation offerings or dedication offerings, for there is no Temple to make improvements upon. [The following laws apply] if one did consecrate property or make an evaluation offering or a dedication offering: If it was an animal, he should lock it in [a closed room] until it dies naturally. If it was produce, a garment, or a utensil, it should be set aside until it rots. If it was coins or metal utensils, they should be taken to the Dead Sea or the Mediterranean Sea to be destroyed.

8. מלאכי א:ו-ז

בן יכבד אב ועבד אדניו ואם-אב אני איה כבודי ואם-אדונים אני איה מוראי אמר | י-הוה צב-אות לקם הכהנים בוגי שמי ואמרתם במה בזינו את-שמך:

A son should honor his father, and a slave his master. Now if I were a father, where would be the honor due Me? And if I were a master, where would be the reverence due Me?—said GOD of Hosts to you, O priests who scorn My name. But you ask, “How have we scorned Your name?”

מגישים על מזבחי לחם מגאל ואמרתם במה גאלנוך באמרכם שלחן י-הוה נבזה הוא:
You offer defiled food on My altar. But you ask, "How have we defiled You?" By saying, "GOD's table can be treated with scorn."

9. תמיד לא:

לא היו כופתין את הטלה. מאי טעמא? רב הונא ורב חסדא, חד אמר: משום בזיון קדשים. וחד אמר: משום דמהלך בחוקי העמים.

The mishna teaches that the priests would not tie the lamb by fastening all four of its legs together. The Gemara asks: What is the reason for this? The Gemara answers: This is a matter of dispute between Rav Huna and Rav Hisda. One of these Sages said: The animal is not tied because this would constitute degradation of sacred items; and the other one said that the animal is not tied because that method is the one adopted in pagan worship, and is therefore considered to be walking in the statutes of the nations, and the verse states: "You shall not walk in their statutes" (Leviticus 18:3).

10. שבת קטו.

כל כתבי הקדש מצילין אותן מפני הדליקה, בין שקורין בהן, ובין שאין קורין בהן. אף על פי שכתובים בכל לשון, טעונים גניזה. ומפני מה אין קורין בהם — מפני ביטול בית המדרש.

MISHNA: With regard to all sacred writings, one may rescue them from the fire on Shabbat, whether they are read in public, e.g., Torah or Prophets scrolls, or whether they are not read in public, e.g., Writings scrolls. This ruling applies even though they were written in any foreign language. According to the Rabbis, those scrolls are not read in public, but they are still sacred and require burial. And why does one not read the Writings on Shabbat? Due to suspension of Torah study in the study hall. People came to the study hall at specific times on Shabbat to hear words of *halakha*, and other texts were not allowed at those times.

גמ' איתמר: היו כתובים תרגום או בכל לשון, רב הונא אמר: אין מצילין אותן מפני הדליקה, ורב חסדא אמר: מצילין אותן מפני הדליקה. אליבא דמאן דאמר ניתנו לקרות בהן — דכולי עלמא לא פליגי דמצילין. כי פליגי אליבא דמאן דאמר לא ניתנו לקרות בהן. רב הונא אמר: אין מצילין, דהא לא ניתנו לקרות בהן. רב חסדא: אמר מצילין משום בזיון הקדש. תנן: כל כתבי הקדש מצילין אותן מפני הדליקה, בין שקורין בהן בין שאין קורין בהן, אף על פי שכתובין בכל לשון. מאי לאו, "שקורין בהן" — נביאים, "ושאין קורין בהן" — כתובים, "אף על פי שכתובין בכל לשון" — דלא ניתנו לקרות בהן, וקתני: מצילין, ותיבתא דרב הונא!

GEMARA: It was stated that *amora'im* debated the status of sacred writings written in Aramaic translation or in any other language. Rav Huna said: One may not rescue them from the fire on Shabbat. And Rav Hisda said: One may rescue them from the fire on Shabbat. The Gemara adds: According to the one who said that sacred writings written in other languages may be read, everybody agrees that one may rescue them. Where they argue is according to the one who said that they may not be read. Rav Huna said: One may not rescue them, as they may not be read. Whereas Rav Hisda said: One may rescue them due to disgrace to sacred writings that will result. We learned in the mishna: With regard to all sacred writings, one may rescue them from the fire on Shabbat whether they are read in public or whether they are not read in public, even if they are written in any foreign language. What, is it not that the phrase: "That they are read" is referring to the books of the Prophets, and the phrase: "That they are not read" is referring to the Writings? Even though these are books written in any foreign language, which

may not be read, it is taught that one may save them. This then is a conclusive refutation of the opinion of Rav Huna.

11. יומא ט.:-

אמר רבי יוחנן בן תורתא: מפני מה חרבה שילה — מפני שהיו בה שני דברים: גלוי עריות, ובזיון קדשים. גלוי עריות דכתיב: "ועלי זקן מאד ושמע את כל אשר יעשון בניו לכל ישראל ואת אשר ישכבון את הנשים הצובאות פתח אהל מועד". ואף על גב דאמר רבי שמואל בר נחמני אמר רבי יוחנן: כל האומר בני עלי חטאו אינו אלא טועה, מתוך

§ Apropos the sins of the High Priests in the Second Temple, the Gemara cites that Rabbi Yohanan ben Torta said: Due to what reason was the Tabernacle in Shiloh destroyed in the time of the prophet Samuel? It was destroyed due to the fact that there were two matters that existed in the Tabernacle: Forbidden sexual relations and degradation of consecrated items. There were forbidden sexual relations, as it is written: "Now Eli was very old and he heard what his sons were doing to all of Israel, how they lay with the women who did service at the opening of the Tent of Meeting" (I Samuel 2:22). And although Rabbi Shmuel bar Nahmani said that Rabbi Yohanan said: Anyone who says that the sons of Eli sinned by engaging in forbidden sexual relations is nothing other than mistaken, even according to the alternative interpretation of the verse that it was due to the fact

ששהו את קיניהן, מיהא מעלה עליהן הכתוב כאילו שכבום.

that they deferred the sacrifice of their bird-offerings by women after childbirth; nevertheless, the verse ascribes to them as if they lay with them. These women came to the Tabernacle to sacrifice doves or pigeons as bird-offerings as part of their purification process, which would permit them to engage in sexual relations with their husbands. Eli's sons delayed the sacrifice of these offerings and thereby delayed the return of these women to their husbands and their fulfillment of the mitzva of procreation. Even though, according to this opinion, Eli's sons did not actually engage in sexual relations with these women, the verse attributes that degree of severity to their conduct.

בזיון קדשים, דכתיב: "גם בטרום יקטרו את החלב ובא נער הכהן ואמר לאיש הזובח תנה בשר לצלות לכהן ולא יקח ממך בשר מבושל כי אם חי. ויאמר אליו האיש קטר יקטירו כיום החלב וקח לך כאשר תאזה נפשך ואמר לו כי עתה תתן ואם לא לקחתי בחזקה. ותהי חטאת הנערים גדולה מאד את פני ה' כי נאצו האנשים את מנחת ה'".

Eli's sons also sinned in the degradation of consecrated items, as it is written: "Before the fat was made burned, the priest's servant came and said to the man who sacrificed: Hand over some flesh to roast for the priest, for he will not take cooked flesh from you, but raw. And if the man said to him: Let the fat be burnt first and then take as much as you want, then he would say: No, hand it over right now, or I will take it by force. The sin of the young men against the Lord was very great, for the men treated the Lord's offerings with contempt" (I Samuel 2:15–17).

12. תמורה כא.

מתני' תמורת הבכור והמעשר, ולדן ולדן עד סוף העולם — הרי אלו כבכור וכמעשר, ויאכלו במזמן לבגלים... MISHNA: With regard to the substitute of a firstborn offering and the substitute of an animal tithe offering, and the offspring of those substitutes and the offspring of their offspring until the end of time, the halakhic status of these animals is like that of a firstborn offering and like that of an

animal tithe offering in that they must be treated with sanctity: They graze until they become blemished, and at that point they may be eaten in their blemished state, the substitute of the firstborn by the priests and the substitute of the animal tithe by their owners. They are not sacrificed upon the altar like the original firstborn and animal tithe offerings...

גמ' אמר רבא בר רב אשא: בען במערבא — המטיל מום בתמורת בכור ומעשר מהו? מי אמרין: כיון דלא קריבן — לא מיחייב, או דילמא: כיון דקדשו — מיחייב?

GEMARA: With regard to the status of the substitute of firstborn and animal tithe offerings that was discussed in the mishna, Rava bar Rav Azza said that they inquired in the West, Eretz Yisrael: What is the *halakha* with regard to one who inflicts a blemish on the substitute of a firstborn offering or on the substitute of an animal tithe offering? Do we say that since they are not sacrificed on the altar like the actual firstborn or animal tithe offering, one who does this is not liable, as the prohibition against inflicting a blemish on a sacrificial animal applies only when one thereby disqualifies the animal from the altar, and that is not the case here; or perhaps since they are sanctified, he is liable for inflicting a blemish?

אמר ליה אביי: ותיבעי לך המטיל מום בתשיעי של מעשר!

Abaye said to Rava bar Rav Azza: And let the dilemma be raised in a case of one who inflicts a blemish on other sacrificial animals, such as the ninth animal counted while selecting the animal tithe offering, which was mistakenly declared to be the tenth. This animal is consecrated in that one is prohibited to work it or shear it until it becomes blemished, but it may not be sacrificed upon the altar.

אלא מאי שנא תשיעי, דלא קמיבעיא לך? דרחמנא מעטיה, "עשירי" — להוציא התשיעי.

Rather, what is different about the ninth animal, which one called the tenth, that you did not raise the dilemma about it? It is because the Merciful One excluded it, with the verse: "The tenth shall be holy to the Lord" (Leviticus 27:32), which serves to exclude from the altar the ninth that was mistakenly declared to be the tenth. One may derive from here that one who inflicts a blemish upon this ninth animal is not liable.

13. ירושלמי פסחים א:ח

תני בשם ר"ש יקיז אף על פי שהוא מתכוין לעשות בו מום...א"ר בון בר חייא קומי רבי זעירא: תיפתר בקדשים שהוא חייב באחריותן כר"ש

It was taught in the name of R. Shimon: one may bloodlet (the firstborn) even though one intends to blemish...R. Bon bar Hiyya said before R. Zeira: the case is kodshim that one is responsible to replace (if something happens to it).

14. מלאכת שלמה משנה בכורות ה:ב 16-17th c R. Shlomo Adeni, Yemen/Israel

ובירושלמי...ומוקי ר' בון בר חייא לההיא ברייתא בקדשים שהוא חייב באחריותם כגון שאמר הרי עלי שלמים והפריש אחד ואחזו דם בהאי מותר להטיל בו מום ואוכלו בפדיון על מום זה דס"ל במרובה דקדשים שחייב באחריותם דהדיוט מיקרו ולית בהו אזהרה דכל מום לא יהיה בו.

And in the Jerusalem Talmud...And R. Bon bar Hiyya explains this baraita as a case of kodshim that one must replace - e.g., one said, "Behold I owe a peace offering," and put aside an animal for it, and it had blood problems: in that case, one may make a blemish in it and eat it after redeeming it because he thinks in the seventh perek of Bava Kamma (=פרק מרובה), that kodshim that one is responsible to replace is labeled as belonging to a regular person (rather than belonging to God/Temple, etc.), and it does not have the negative commandment of: "There shall be no blemish in it."

15. מנחת חינוך מצווה רפז, ד"ה ולענין אם מותר R. Yosef Babad, Poland 19th c

ולענין אם מותר להטיל מום בקדשי בדק הבית...דדוקא בזמן הזה דבלאו הכי נועל דלת עד שתמות או שאר דברים יוליך לים המלח אין איסור רק מדרבנן. אבל בזמן הבית בודאי אסור להטיל בו מום מה"ת מחמת פסידת קדשים כמבואר פ' ראשית הגז דכחש קדשים אסור אפילו בקדשי בדק הבית מן התורה אך בזמן הזה ליכא פסידא כמ"ש.

And regarding whether it is permissible to make a blemish in an animal that is consecrated (not for a korban, but) for Temple maintenance...only nowadays where at any rate, one would lock the door in front of the animal until it dies or other items one would throw to the Dead Sea, there is only a rabbinic prohibition to make a blemish. But when the Temple stands, it is certainly prohibited Biblically to blemish it because of causing loss in kodshim, as is explain in the eleventh chapter of Chulin (called ראשית הגז) that

16. רמב"ם משנה תורה הל' איסורי המזבח א:ז

המטיל מום בקדשים כגון שסמא עינו או קטע ידו לוקה שְהָרִי נֶאֱמַר בְּקֶרְבָּן (ויקרא כב-כא) "כָּל מוֹם לֹא יִהְיֶה בוֹ". מִפִּי הַשְּׁמוּעָה לְמַדּוֹ שֶׁזֶה אֲזָהָרָה שְׁלֹא יִתֵּן בוֹ מוֹם. וְאִינוֹ לּוֹקֶה אֲלֵא בְּזֶמֶן שֶׁבֵּית הַמִּקְדָּשׁ קִיָּם שְׁהָרִי הִיָּה רְאוּי לְקֶרְבָּן וּפְסָלוֹ. אֲבָל בְּזֶמֶן הַזֶּה אֵף עַל פִּי שֶׁעָבַר בְּלֹא תַעֲשֶׂה אִינוֹ לּוֹקֶה:

Lashes are given [for the violation of this prohibition] only when the Temple was standing, for then [the animal] was fit to be offered as a sacrifice and [the person] disqualified it. In the present age, by contrast, even though one transgressed a negative commandment, he is not liable for lashes.