

Nedarim 29a

**Can Kedusha Come Off By Itself? – The Question with
Regard to קדושת הגוף and the Question with Regard to
קדושת דמים**

Rav Memuna said to him **אמר ליה רב המנונא**
(but) the kedusha in it **קדושה שבהן**
where does it go **להיכן הלכה**
'And just like' **ומה**
if he would say to a woman **אילו אמר לאשה**
"Today you are my wife **היום את אשתי**
and tomorrow **ולמחר**
you are not my wife" **אי את אשתי**
does she go out **מי נפקא**
without a get **בלא גט**

Once a person marries a woman, there is no way that she could become 'unmarried' without receiving a get. That is, once an object attains a certain status, there is no way that it could lose that status without doing an action. If so, in our case as well this should be true. Once these trees become hekdedsh, how could they become not hekdedsh without redeeming them?

The Gemara answers:

Rava said to him **אמר ליה רבא**
do you compare **מי קא מדמית**
the kedusha of money (value) **קדושת דמים**
to the kedusha **לקדושת**
of the guf (the physical object) **הגוף**
kedusha of money (value) **קדושת דמים**
goes off with nothing **פקעה בכדי**
(but) kedusha of the guf **קדושת הגוף**
does not come off with nothing **לא פקעה בכדי**

When something becomes hekdedsh, it can be done in one of two ways. Either it can acquire קדושת דמים or it can acquire קדושת הגוף. That is, when one makes an animal hekdedsh to bring as a korban, the actual physical animal becomes hekdedsh, i.e., and that is why it can be brought on the mizbayach. The second way that one can make something hekdedsh is to have it acquire קדושת הגוף. That is, the object itself is not understood to have kedusha but rather it is its value that has kedusha. For example, if a person says that trees should become hekdedsh, they do not acquire קדושת הגוף but rather all they acquire is קדושת דמים. This is because trees are never brought on the mizbayach and the only thing that happens to them is that they become hekdedsh in the

sense that they now have to be redeemed and its value given to the Bais Hamikdosh.

The kedusha of something that has קדושת הגוף is obviously going to be stronger than something that only has קדושת דמים. If so, Rava answers that there is no comparison between the trees that became hekdedsh and the woman who got married. As we explained previously, trees never acquire קדושת הגוף but rather all they get is קדושת דמים. However, when a woman gets married she becomes 'hekdedsh' to her husband, similar to קדושת הגוף. That is, the status that is conveyed onto the woman is not just with regard to her value but rather her physical being is given over to her husband. If so, we understand very well why the marriage that is chal on her cannot come off with 'nothing'. As opposed to our Mishna that is discussing an object that just has קדושת דמים, and if so, that is why the kedusha can come off without an act of pidyon. In other words, there is no contradiction between the case of a woman getting married and our Mishna, as our Mishna is discussing קדושת דמים and the case of getting married is discussing a case of קדושת הגוף.

The rule that Rava laid down was that קדושת הגוף cannot come off with 'nothing', i.e., without an action. And on this the Gemara asks:

Abaye said to him **אמר ליה אבאי**
(is it true that) kedushas haguf **קדושת הגוף**
does not come off with 'nothing' **לא פקעה בכדי**
but we learned in a Baraisa **והתנא**
שור זה עולה (if a person says that) this ox should be an olah
all thirty days **כל שלשים יום**
and after thirty days **ולאחר שלשים יום**
(it should be) a shelamim **שלמים**
for all thirty days **כל שלשים יום**
(the halacha is that it is) an olah **עולה**
and after thirty days **לאחר שלשים יום**
(it is) a shelamim **שלמים**

The Baraisa describes a case of a person saying that this animal should be designated as an olah for the next thirty days, and after that it should be a shelamim. That is, a person says that this animal should acquire the kedusha of a korban olah. But he adds that if he does not end up bringing this animal as a korban olah within thirty days, then the kedusha of a korban olah should go off of the animal and it should be replaced with the kedusha of a korban shelamim.

The Mishna teaches us that the person has the ability to do this and on this the Gemara asks on Rava's shita:

אמאי (But) why

it is (a case) of kedushas haguf **קדושת הגוף ניהו**

וּפְקָעָה בְּכֹדִי ‘nothing’ (and yet) it goes off with

How could the kedusha of a korban olah go off of the animal after thirty days if the person did not do an action? According to Rava, kedushas haguf cannot go off by itself, and yet we see from this Baraisa not that way (the kedusha of an animal is considered kedushas haguf and yet the Baraisa tells us that the kedusha can come off by itself).

The Gemara answers:

**הֲכֵא בְּמַאי עֲסָקִינָן (Here what are we dealing with
דָּאָמַר לְדָמִי (a case) that he said for its value**

The Gemara answers that in the Baraisa’s case the person did not say that the animal should acquire kedusha haguf in order to bring it as a korban olah but rather he just said that the value of the animal should become hekdesch. That is, the animal should be sold and the proceeds of the sale should be used to be the korban olah.

The Ran explains that the Baraisa is discussing a case of an animal that is a baal mum (an animal that has a physical blemish that disqualifies it from being brought as a korban). The Ran adds that if the Baraisa is discussing an animal that does not have a mum, then even if the person only makes it hekdesch as קְדוּשַׁת דָּמִי it will automatically acquire קְדוּשַׁת הַגּוּף (דְּקִיּוּל הַמַּתְפִּיס) as well (תְּמִימִין לְבַדֵּק הַבַּיִת מִיָּדֵי מִזְבֵּחַ לֹא יֵצֵאוּ).

Therefore, since the case of the Baraisa is discussing something that only has קְדוּשַׁת דָּמִים and not קְדוּשַׁת הַגּוּף, we

understand why the kedusha of being set aside for a korban olah can go off by itself at the end of thirty days.

But on this the Gemara asks:

אִי הָכִי

אֵימָא סִיפָא say the sayfa

לְאַחַר (if a person says) that after

שְׁלֹשִׁים יוֹם thirty days

עוֹלָה (this animal should be) an olah

וּמֵעַכְשָׁיו and from now

שְׁלָמִים (it should be a shelamim)

The raysha of the Baraisa discussed a case in which the person first says that it should be an olah and then after thirty days it should be a shelamim. In the sayfa he says the opposite. At first, he wants it to be a shelamim and after thirty days it should be an olah.⁹

The Gemara now comes to its question on the Gemara’s answer that the Baraisa is discussing a case in which the animal acquired קְדוּשַׁת הַגּוּף and not קְדוּשַׁת דָּמִים .

אִי אָמַרְתָּ בְּשִׁלְמָא It is good if you say

וְהָדָא (that) one (of them, i.e., one part of the Baraisa)

בְּקְדוּשַׁת הַגּוּף is (discussing) kedusha haguf

וְהָדָא (and) one (of them, i.e., one part of the Baraisa)

בְּקְדוּשַׁת דָּמִים (is discussing) the kedusha of its value

⁹ **The Difference Between the Wording of the Raysha and the Wording of the Sayfa**

The Rosh points out that the wording of the raysha is different from the wording of the sayfa. In the raysha, the person first starts out with what he wants to be chal now, and only then does he say what he wants to be chal after thirty days. And in the sayfa he first says what he wants to be chal in thirty days and only then does he say what he wants to be chal now. The Rosh explains that the

reason why there is a difference is because the Baraisa wants to stay consistent with regard to always starting with the korban olah. That is, in the raysha the person at first wants the animal to be a korban olah, and therefore that is why he first mentions what should be chal now. And in the sayfa the person only wants the animal to be an olah after thirty days, and that is why he first discuss what he wants to be chal in thirty days. But in reality, it does not make a difference with one he starts with.

Nedarim 29b

This is (why) היינו
the Tanna needed to teach דאיצטריד ליה לתנא למיתנא
two (i.e., both the raysha and the sayfa) תרתי
for I could have thought to say דסלקא דעתך אמינא
kedushas haguf קדושת הגוף
does not come off with 'nothing' לא פקעה בכדי
(and) the kedusha of its value קדושת דמים
comes off with 'nothing' פקעה בכדי
and because of this אמטו להכי
it taught two (cases) תנא תרתי
but if you say אלא אי אמרת
this and this (the raysha and the sayfa) אידי ואידי
(are talking about) the kedusha of its value קדושת דמים
why do I need it למה לי
to teach both למיתנא תרתי

The Gemara previously answered that the raysha of the Baraisa is discussing a case of a person who just made the value of the animal hekdesh but not the actual animal (i.e., he made the קדושת דמים hekdesh but not the קדושת הגוף). But if so, why would the Tanna need to say two different cases?

The Gemara will now explain that one cannot answer that even if both the raysha and sayfa are discussing קדושת דמים, perhaps they are both needed as they are discussing different cases. The raysha is discussing a person who first says that the animal should be an olah and then a shelamim and the sayfa is discussing a case in which the person first says that the animal should be a shelamim and then an olah. The Gemara explains that the fact that the Baraisa is discussing two separate cases cannot be the reason that both cases are needed because:

Now that there is to say השתא יש לומר
that from a kedusha מקדושה
that is chamur (severe) חמורה
to a kedusha לקדושה
that is kal (light, i.e., not severe) קלה
the kedusha goes off פקעה מקדושה
(from a kedusha) that is kal קלה
to a kedusha that is chamur חמורה
is it needed to say צריכא למימר

The chiddush of the raysha of the Mishna is to say that a person can at first make his animal to be a korban olah and then after thirty days, it could turn into a shelamim. That is, even though a korban olah has more kedusha than a korban shelamim, a person can still have the animal go from the higher level of

kedusha to a lesser one. That is, one could have thought that once this animal attains a higher level of kedusha, it cannot now go to be an animal with less kedusha (i.e., from an olah to a shelamim). The raysha therefore comes to teach us otherwise.

The problem is that once the raysha teaches us this chiddush, the sayfa will no longer be necessary. If a person can say that an animal should go from a higher level of kedusha to a lower level, then certainly a person can make an animal go from a lower level to a higher level. If so, the sayfa that says that one can make the animal go from being a shelamim the first thirty days to being an olah afterwards is not needed once we know the raysha that a person could make an animal go from being an olah to being a shelamim. If so, we have to understand why both the raysha and sayfa are necessary.

The only answer the Gemara has to explain why both the raysha and sayfa are needed is to say as it did before, that one case is referring to a case of קדושת דמים and the second case could be referring to a case of קדושת הגוף. And the chiddush will be that even though an animal has קדושת הגוף, it goes off by itself after thirty days.

But if this is true:

Let us say that it is a disproof לימא תיהוי תיובתא
of Bar Padda דבר פנא
that said דאמר
kedusha does not go off by itself בכדי קדושה

Bar Padda's shita is that kedusha cannot go off by itself, and if so, if the Baraisa is coming to teach us that the kedusha of the animal could come off by itself after thirty days, this would obviously disprove his position.

Bar Padda's Explanation of the Sayfa of the Baraisa – The Ability of an Olah to be Chal After Thirty Days

Rav Puppa said אמר רב פפא
Bar Padda would say to you אמר לך בר פנא
this is what it (the sayfa) means to say הכי קאמר
if he does not say אם לא אמר
(that) from now מעכשיו
it should be a shelamim שלמים
(then) after thirty days לאחר שלשים יום
it will be an olah הוי עולה
'just like' מידי דהוה
the one who says to a woman האומר לאשה
"Be married to me להתקדשי לי
after thirty days" לאחר שלשים יום

that (that halacha is) that he is married דְּמִקְדָּשָׁתוֹ
 and even though וְאַף עַל פִּי
 the money has been consumed שֶׁנִּתְעַכְּלוּ הַמְעוֹת

Rav Puppa explains that according to Bar Padda there is a completely different way to explain the Baraisa. The explanation of the raysha will stay that same that it is discussing קְדוּשַׁת דְּמִים and not קְדוּשַׁת הַגּוּף. And the sayfa is teaching us the following halacha. If a person says that this animal should be an olah after thirty days, this will work. That is, even though the animal is not becoming hekdedsh at the time that he makes his ‘hekdedsh proclamation’, his proclamation will still have the ability to make the animal hekdedsh after thirty days.

And this is similar to a man who gives a women money and says that the giving of money should serve as an act of marriage but the actual marriage should not take place for thirty days. The halacha is that this works and the kiddushin will be chal in thirty days, even if the money has been consumed and is no longer in existence at the time that the kiddushin is taking place.

If so, in our case as well, the act of making it an olah can be made to take effect with a ‘thirty-day delay’.

The way that Baraisa says this is by saying that although the person made a declaration that this animal should be an olah after thirty days, and in theory this declaration should have worked, it will not because the person made it a shelamim before then. And since it is a shelamim now, this kedusha cannot come off, and therefore in thirty days, when the kedusha of a korban olah should have been chal, it will not be chal because the animal is already a shelamim (but if not for the fact that it is now a shelamim, it would have become an olah).

In other words, the Baraisa is teaching us two main points. Firstly, that in theory one can declare an animal to be a korban olah with a thirty-day delay, and secondly in our case the kedusha of a korban olah will not be chal, as the animal already has the kedusha of a korban shelamim, and that kedusha cannot come off by itself.

The bottom line of this answer is that not only does the Baraisa not disprove bar Padda, but it also actually states his halacha. The Baraisa tells us that the animal does not become an olah. But why not? The answer is that the kedusha does not come off because the kedusha of the animal cannot come off by itself, i.e., the halacha of Bar Padda, see footnote where we quote the Ran that explains the many chiddushim of this answer.¹⁰

¹⁰ The Many Chiddushim of the Baraisa According to Bar Padda

The Ran explains that this answer contains many Chiddushim, as follows:

1. We see that a person can make an animal become a korban with a thirty-day delay.
2. This that the animal will become a korban after thirty days is only if he did not make another korban before that. That is, if he says that it should be an olah after thirty days and it should be a shelamim from now, the animal will immediately become a shelamim and stay a shelamim even after thirty days. That is, once the animal is a shelamim, it will not become an olah after thirty days.
3. We see that not only a kedusha that is chamur, i.e., the kedusha of a korban olah, cannot come off by itself, but even if it only has the kedusha of a korban olah (a less chamur form of kedusha) this kedusha will not come off by itself either. The Ran explains that this is why the case of the sayfa is that he first says it should be a shelamim and then an olah, to teach us that once it has the kedusha of even a kedusha that is kal, it will not come off by itself.
4. We see that the kedusha of the korban shelamim cannot come off by itself, even if it will be replaced by the more chamur kedusha of a korban olah. That is, one could have thought that this that a kedusha cannot come off by itself is only if it is not going to have kedusha afterwards, but in a case that there will be kedusha, i.e., the kedusha of the korban olah, if the kedusha of the shelamim would come off, it would not be considered a case of kedusha coming off by itself. The Baraisa comes to teach us otherwise, that even if the kedusha is going to be replaced with a different kedusha, and even if this new kedusha will be more chamur, it will not make a difference and we will still say that the ‘old’ kedusha of the korban shelamim cannot come off by itself.
5. One could have thought that in our case, since at the time that the animal acquired the kedusha of a korban shelamim the person had already said that it should be an olah after thirty days, the kedusha of the olah that will be chal after thirty days should prevent the kedusha of the shelamim from being chal for after thirty days. Therefore, one could have through that the kedusha of the shelamim could come off to make room for the kedusha of the olah, as the ‘mechanism’ that would cause the kedusha of the shelamim to go off was already in place from the beginning. The Baraisa teaches us

otherwise. That since at the end of the day, at the time that the person declared the animal hekdedsh the kedusha of a shelamim was chal and the kedusha of the olah was not chal, the kedusha of the shelamim cannot come off by itself, and therefore, the kedusha of the shelamim will prevent the kedusha of the olah from being chal in the animal.

6. One could have though that all this is true only if the person first says that the animal should be a shelamim from now and an olah after thirty days. But if the person first says that the animal should be an olah after thirty days and a shelamim from now, perhaps in this case, since he at first mentioned that the olah should become an olah in thirty days, this is chal in the animal, and therefore, even if afterward he says that it should be a shelamim from now, it will be able to become an olah after thirty days, as the ‘power’ to do that is ‘already in the animal’. The Baraisa therefore comes to teach us not that way, that since at the end of the day the animal becomes a shelamim before it becomes an olah, the kedusha of a shelamim cannot come off by itself and that kedusha will prevent the animal from becoming an olah. [The Ran does say that the reason the fact that the chalos of becoming an olah after thirty days does not prevent the animal from becoming a shelamim for even after thirty days, is because immediately (תּוֹךְ כּוּדֵי) (דִּבּוּר) of him saying that it should be an olah after thirty days, he says that it should be a shelamim now. This would seem to imply that if he says that it should be an olah after thirty days, and then after a little time he says that it should be a shelamim from today, in this case, it will only be a shelamim for thirty days and afterwards it will be a korban olah. That is, once he says that it should be an olah after thirty days, if he doesn’t immediately qualify it, the chalos of it becoming an olah after thirty days will be chal, and this will prevent a person from making it a shelamim from now and forever. That is, if he waits to make it a shelamim, he will only be able to make it a shelamim for those thirty days but not for more. Seemingly the way to understand this is to say that once the chalos of it becoming an olah after thirty days is chal in the animal, he can no longer make it a shelamim for more than thirty days. What one still has to clarify is why do we not say that once the kedusha of the shelamim is chal in the animal, it cannot come off by itself, and therefore, even after thirty days it should not come off and this kedusha should prevent the kedusha of an olah from being chal. Seemingly, one has to say that the kedusha from the beginning

The Gemara explained that the Baraisa comes to teach us that if a person says that this animal should be an olah after thirty days, if the person does not also make the animal a shelamim from now, his declaration will work to make the animal an olah at the later date.

And on this the Gemara asks:

It is obvious פשיטא

The Gemara now asks that it seems obvious that a person could make an animal become a korban at a later date. Why should this not work? After all, if a person can make an act of kiddushin today to work for a later time, why would one think that a korban should be different?¹¹

If a Person Makes a 'Delayed Chalos', Can He Retract His Words Before the Chalos is to be Chal (the difference between marrying a woman and making an animal a korban)?

The Gemara answers:

It is not needed לא צריכא

(except for a case) that he went back (i.e., he changed דהדר ביה his mind)

The Gemara explains that the chiddush of this halacha is that even if the person would change his mind and say that he does not want the animal to become an olah at the end of the thirty days, he cannot do so. That is, the Baraisa teaches us that once he makes his declaration declaring this animal to be an olah after thirty days, he cannot change his mind even if the kedusha as not yet been chal.

But on this the Gemara asks:

This is good הניחא

(according) to the one that says למאן דאמר

he cannot go back (retract) אינה חוזרת

but (according) to the one who says אלא למאן דאמר

חוזרת he could go back

מאי איכא למימר what is there to say

In meseches Kiddushin (59a) there is a machlokes between R' Yochanan and Rais Lakish with regard to a person who makes an act of kiddushin to be chal after thirty days. Rais Lakish holds that once this person makes this act of kiddushin, he can no longer retract from it, and therefore, even if this woman would go ahead and marry a different man, that second kiddushin will not be chal. R' Yochanan argues and he holds that a person can retract from the act of kiddushin (as long as it was not yet chal) and therefore if this woman would go ahead and marry someone else, the second kiddushin would be chal and she will remain married to this second person (and once she is married to this second person, when the end of the thirty days comes, the kiddushin that should have taken place then will not be chal as this woman is already married to someone else).

We are now faced with the following problem. The Gemara previously answered that the chiddush of the Baraisa is to tell us that once a person says that this animal should be an olah after thirty days, the animal will become an olah at that point, even if the person wants to retract what he said before then.

But this will only be true according to Rais Lakish who holds that indeed, once you place a chalos in motion to be chal after a certain amount of time, a person is not able to retract from it.

But according to R' Yochanan the chiddush of the Baraisa cannot be that a person cannot retract from a chalos that he said should be chal after a time because R' Yochanan simply holds that this is not true. With regard to making a 'delayed kiddushin', R' Yochanan said that one has the ability to retract, and if so, the same should be true with regard to our case as well. Even if the person said that the animal should be an olah after thirty days, he should have the ability to retract his words before then.

If so, we come back to the Gemara's question of what is the chiddush of the sayfa?

was never chal for more than thirty days as the with regard the time after the thirty-day time period as the time period for after thirty days was already reserved for the olah, ויש לפלפל ואכמ"ל יותר.

11 How Can the Gemara Compare the Act of Making an Animal a Korban to Giving Money for Kiddushin?

The Gemara assumes that if a person can make a 'delayed' kiddushin then certainly he can make a 'delayed' act of making an animal a korban. But the Ran asks that seemingly there is a tremendous difference between these two cases. In the case of kiddushin the reason why he can make the kiddushin can be chal after thirty days is because when he gave her the money, the is created a שיעבוד, that is, once he gave her the money this caused that she 'owes' him something and the way she 'pays' this back is by marrying him. Therefore, we understand very well why the kiddushin could be chal at a later time, even if at that time the money is no longer here. This is true because even if the money is no longer here, the 'debt' that she owes him is here, and therefore since that 'debt' is still in existence after thirty days, this is why the kiddushin can be chal then.

But by the case of the korban this is not true. What makes the animal into a korban is his declaration, and his declaration is not in existence thirty days later, and if so, how can the kedusha of the korban be chal then?

The Ran compares this to a man who marries a woman, not with money but with a shtar (marriage contract). If a man gives a shtar kiddushin to a woman and says that this shtar should affect a marriage in thirty days, if at the end of the thirty days the shtar is no longer in existence, the kiddushin will not be chal. This would be true for the simple reason that the kiddushin cannot be chal then, as there is nothing with which to make it chal.

If so, the case of making an animal into a korban should be the same, and since his declaration does not exist in thirty days, there should be no way for the kedushas hakorban to be chal then.

The Ran answers that the Gemara is relying on what it will say at the end of the sugya, that when one says something with regard to hekdesh, it has the status of something that was given, and if so, the act of saying that this should be hekdesh should not be worse than giving money to a woman for kiddushin and that is why the Gemara assumes that there is a comparison between them (and the same way that a 'delayed kiddushin' works, so too a delayed korban should work as well).

The Gemara answers:

Even according to the one who says **אָפּילוּ לְמֵאן דְּאָמַר**
over there (with regard to kiddushin) **הֵתֵם**
he can retract **חִזְזֵרְתּוּ**
here it is different **הֵכָא שְׂאֵנִי**
for 'saying to Govahah (hekdesch) **דְּאָמַרְתּוּ לְגִבּוּהַ**
is like giving **כְּמַסְרֵתּוּ**
over to a regular person **לְהִדְיוּט**

The Gemara answers that although R' Yochanan holds that with regard to a 'delayed kiddushin', one can change his mind, with regard to hekdesch he cannot. This is based on the rule of **דְּאָמַרְתּוּ לְגִבּוּהַ כְּמַסְרֵתּוּ לְהִדְיוּט** – that the mere act of talking with regard to Govahah (i.e., hekdesch) is like giving it over (i.e., making a kinyan) with regard to a regular person). This rule tells us that although typically in order for a 'deal' to be finalized a kinyan must be made, with regard to giving things to hekdesch a mere verbal agreement has the same effect as a kinyan.

Therefore, although with regard to marrying a woman, the person can retract as long as they don't actually get married, with regard to making an animal a korban, this is not true. Even if a person will make a mere declaration that an animal should be a korban, the person will not be able to retract from this commitment. Therefore, although R' Yochanan holds that a

person can retract from a 'delayed kiddushin', he cannot retract from a 'delayed korban', and if so, this is the chiddush of the Baraisa according to everyone. According to everyone, the chiddush of the Baraisa is that the animal will become an olah after thirty days even if the person retracts before then.

A Man Who Gives a Woman Two Perutos and Says that One Should be for Now and One Should be for After I Divorce You

The Gemara continues and tells us that at one point:
רֵיבִי רַבִּי אֲבִין וְרַב יִצְחָק בְּרַבִּי
were sitting
before R' Yirmiyah **דְּרַבִּי יִרְמְיָהּ**
and R' Yirmiyah was dosing **וְקָא מְנַמְנִים רַבִּי יִרְמְיָהּ**
(and) they were sitting and saying **וְתַבִּי וְקָאמְרִי**
according to Bar Padma **לְבַר פְּדָא**
who said **דְּאָמַר**
if one redeems it **פְּדָאֵן**
it goes back **חִזְזֵרְתּוּ**
and becomes hekdesch (again) **וְקוּדְשׁוּת**